



# ENVIRONMENTAL ASSESSMENT BOARD

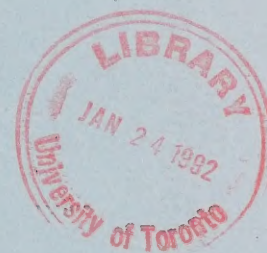
VOLUME: 340

DATE: Tuesday, January 14, 1992

BEFORE:

A. KOVEN Chairman

E. MARTEL Member



FOR HEARING UPDATES CALL (COLLECT CALLS ACCEPTED) (416)963-1249

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HEARING ON THE PROPOSAL BY THE MINISTRY OF  
NATURAL RESOURCES FOR A CLASS ENVIRONMENTAL  
ASSESSMENT FOR TIMBER MANAGEMENT ON CROWN LANDS  
IN ONTARIO

IN THE MATTER of the Environmental  
Assessment Act, R.S.O. 1980, c.140;

- and -

IN THE MATTER of the Class Environmental  
Assessment for Timber Management on Crown  
Lands in Ontario;

- and -

IN THE MATTER OF a Notice by the  
Honourable Jim Bradley, Minister of the  
Environment, requiring the Environmental  
Assessment Board to hold a hearing with  
respect to a Class Environmental  
Assessment (No. NR-AA-30) of an  
undertaking by the Ministry of Natural  
Resources for the activity of timber  
management on Crown Lands in Ontario.

-----  
Hearing held at the offices of the Ontario  
Highway Transport Board, 10th Floor,  
151 Bloor Street West, Toronto, Ontario, on  
Tuesday, January 14th, 1992, commencing at  
9:00 a.m.

-----  
VOLUME 340

BEFORE:

MRS. ANNE KOVEN  
MR. ELIE MARTEL

Chairman  
Member





A P P E A R A N C E S

MR. V. FREIDIN, Q.C.)	
MS. C. BLASTORAH )	MINISTRY OF NATURAL
MS. K. MURPHY )	RESOURCES
MR. B. CAMPBELL )	
MS. J. SEABORN )	MINISTRY OF ENVIRONMENT
MS. N. GILLESPIE )	
MR. R. TUER, Q.C. )	
MS. E. CRONK )	ONTARIO FOREST
MR. R. COSMAN )	INDUSTRIES ASSOCIATION
MR P. CASSIDY )	
MR. D. HUNT )	
MR. R. BERAM	ENVIRONMENTAL ASSESSMENT BOARD
MR. D. O'LEARY )	ONTARIO FEDERATION OF
MR. E. HANNA )	ANGLERS & HUNTERS AND
DR. T. QUINNEY )	NORTHERN ONTARIO TOURIST
	OUTFITTERS ASSOCIATION
MR. D. HUNTER )	NISHNAWBE-ASKI NATION
MR. M. BAEDER )	and WINDIGO TRIBAL COUNCIL
MS. M. SWENARCHUK )	FORESTS FOR TOMORROW
MR. R. LINDGREN )	
MR. D. COLBORNE )	GRAND COUNCIL TREATY
MR. G. KAKEWAY )	#3.
MR. J. IRWIN	ONTARIO METIS & ABORIGINAL ASSOCIATION
MR. J. ANTLE	NORTHERN ONTARIO TOURIST OUTFITTERS ASSOCIATION
MS. M. HALL	KIMBERLY-CLARK OF CANADA LIMITED and SPRUCE FALLS POWER & PAPER COMPANY



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APPEARANCES: (Cont'd)

MR. R. COTTON		BOISE CASCADE OF CANADA LTD.
MR. Y. GERVAIS	)	ONTARIO TRAPPERS
MR. R. BARNES	)	ASSOCIATION
MR. L. GREENSPOON	)	NORTHWATCH
MS. B. LLOYD	)	
MR. J.W. ERICKSON, Q.C.)		RED LAKE-EAR FALLS
MR. B. BABCOCK	)	JOINT MUNICIPAL COMMITTEE
MR. D. SCOTT	)	NORTHWESTERN ONTARIO
MR. J.S. TAYLOR	)	ASSOCIATED CHAMBERS OF COMMERCE
MR. J.W. HARBELL		GREAT LAKES FOREST
MR. S.M. MAKUCH		CANADIAN PACIFIC FOREST PRODUCTS LTD.
MR. D. CURTIS	)	ONTARIO PROFESSIONAL
MR. J. EBBS	)	FORESTERS ASSOCIATION
MR. D. KING		VENTURE TOURISM ASSOCIATION OF ONTARIO
MR. H. GRAHAM		CANADIAN INSTITUTE OF FORESTRY (CENTRAL ONTARIO SECTION)
MR. G.J. KINLIN		DEPARTMENT OF JUSTICE
MR. S.J. STEPINAC		MINISTRY OF NORTHERN DEVELOPMENT & MINES
MR. M. COATES		ONTARIO FORESTRY ASSOCIATION
MR. P. ODORIZZI		BEARDMORE-LAKE NIPIGON WATCHDOG SOCIETY





APPEARANCES: (Cont'd)

MR. R.L. AXFORD	CANADIAN ASSOCIATION OF SINGLE INDUSTRY TOWNS
MR. M.O. EDWARDS	FORT FRANCES CHAMBER OF COMMERCE
MR. P.D. McCUTCHEON	GEORGE NIXON
MR. C. BRUNETTA	NORTHWESTERN ONTARIO TOURISM ASSOCIATION





I N D E X   O F   P R O C E E D I N G S

<u>Witness:</u>	<u>Page No.</u>
<u>DR. KEITH NEUMAN,</u>	
<u>MS. SUZANNE DUBE-VEILLEUX,</u>	
<u>MR. CHARLES ALEXANDER, Resumed.</u>	59217
Continued Direct Examination by Mr. O'Leary	59217
Cross-Examination by Mr. Baeder	59389
Cross-Examination by Mr. Cassidy	59405



I N D E X   O F   E X H I B I T S

<u>Exhibit No.</u>	<u>Description</u>	<u>Page No.</u>
2029	Publication entitled: Timber Management Planning for Present and the Future produced by the OFAH, dated 1989.	59224
2030	Publication entitled: Toward the Optimum Use of the Forests of Ontario, dated December, 1989.	59227
2031	Mediator/Facilitator Report dated December 12th, 1990.	59349
2032	MNR terms and conditions dated January 6, 1992 with covering letter from K. Murphy.	59349
2033	Photograph taken by Mr. Alexander in summer of 1989 depicting pile of tree planting bags left in bush.	59367
2034	Values map of Caribou West Management Unit.	59383
2035	Copy of map produced by Mr. Alexander depicting Anenimus River.	59387
2036	Survey of Professional Foresters in Canada by Omnifax Research, final report to Forestry Canada dated January, 1991.	59422





1 ---Upon commencing at 9:00 a.m.

2 MADAM CHAIR: Good morning. Please be  
3 seated.

4 Good morning. Good morning, Mr. O'Leary.

5 MR. O'LEARY: Good morning, Madam Chair.

6 MADAM CHAIR: Go ahead. Are you all set?

7 MR. O'LEARY: We're ready to proceed.

8 MADAM CHAIR: All right.

9 MR. O'LEARY: Thank you.

10 DR. KEITH NEUMAN,  
11 MS. SUZANNE DUBE-VEILLEUX,  
MR. CHARLES ALEXANDER, Resumed

12 CONTINUED DIRECT EXAMINATION BY MR. O'LEARY:

13 Q. Mr. Alexander and Ms. Dube-Veilleux,  
14 good morning. Can I ask you first of all whether each  
15 of you have reviewed the witness statement and  
16 particularly the statements made by the other and  
17 whether or not you are in agreement with each other's  
18 statements.

19 Let me ask you first, Ms. Dube-Veilleux?

20 MS. DUBE-VEILLEUX: A. Yes, I have  
21 reviewed Mr. Alexander's statement and spoken with Mr.  
22 Alexander regarding his statement and I agree with what  
23 he's presenting.

24 MR. ALEXANDER: A. Yes, I have reviewed  
25 and spoken with her about it and I agree.

1 Q. Now, turning first to page 17 of the  
2 witness statement, Mr. Alexander, at Question 30 you  
3 describe a number of concerns with the current timber  
4 management planning process and public consultation.

5 The first is at Roman numeral (i) where  
6 you state that there is a need for more effective  
7 public consultation. What do you mean by this, Mr.  
8 Alexander?

9 A. Well, the public have specific  
10 concerns about timber harvesting and what is needed is  
11 a two way street, a flow of information, but it must be  
12 information that the layman can understand, that the  
13 average individual off the street when he goes into a  
14 timber management plan, he must be able to understand  
15 that.

16 Q. All right. And do you have any view  
17 as to why that is something you feel is important?

18 A. Well, the public certainly knows that  
19 timber harvesting affects wildlife and it affects  
20 fisheries and it affects their habitat.

21 What they need to be shown is what those  
22 effects will be, both positive and negative, and then  
23 they will have the knowledge to make meaningful input  
24 and with their knowledge and input increased it will  
25 lessen conflicts between the public and the Ministry of



1 Natural Resources and other users.

2 Q. Your reference to knowledge and  
3 awareness, is that in relation to Roman numeral (ii) at  
4 Question 30?

5 A. Yes.

6 Q. Now, can I ask you, Mr. Alexander,  
7 what is your view as to whether or not it's realistic  
8 to expect the average citizen to become involved in  
9 complex decisions and a decision-making process such as  
10 timber management?

11 A. Well, the average person does not  
12 need to know all the technical details of timber  
13 management planning, but they must have enough  
14 information so that they can make well reasoned choices  
15 as to the preferred timber activities that they feel  
16 should go on in any given area.

17 In my view the public is not provided  
18 with that critical information in the current timber  
19 management planning process.

20 Q. Now, turning to Question 31 you state  
21 that you have not conducted a systemic survey of  
22 members of the Ontario Federation of Anglers & Hunters,  
23 and I ask, Mr. Alexander, how you can, therefore, be  
24 confident that the concerns you are expressing in your  
25 witness statement are held by a number or a majority of

1 the members of the Federation?

2 A. Well, as I point out in the witness  
3 statement, we have not conducted any similar type  
4 surveys, but I can tell you, in particular, during my  
5 two years as term of president of the OFAH I travelled  
6 all over this province and I heard the concerns from  
7 everybody, be it a member in Windsor or be it someone  
8 that lives within my own community of Dryden, it's a  
9 common topic that comes up at virtually every zone  
10 meeting, at every club meeting, it's always discussed  
11 at our Board of Directors and the phone calls that I  
12 receive invariably every evening often they will relate  
13 to timber management activities and habitat.

14 Q. Ms. Dube-Veilleux, could I also ask  
15 you the same question in respect of the Northern  
16 Ontario Tourist Outfitters Association?

17 MS. DUBE-VEILLEUX: A. Yes. NOTO  
18 likewise has not conducted any formal surveys of the  
19 members, however, I think that the simple structure of  
20 NOTO itself, which represents northern operators,  
21 allows ample opportunity for input, and generally the  
22 feeling is that the tourism industry and each  
23 individual operation hinges entirely in most cases on  
24 the quality of the forest around them and on the  
25 experience, the wildlife and fishing experience that we

1 can offer our guests in northern Ontario.

2 Our conventions are generally structured  
3 so that we have almost a whole day and each convention  
4 is dedicated strictly to this type of consultation  
5 among the operators and consultation with members of  
6 the Ministry of Natural Resources that we usually  
7 invite to our conventions strictly to talk about this.

8 It's an ongoing process all year where  
9 members of Natural Resources or people from Natural  
10 Resources are asked to come to area meetings and to  
11 individual outfitters meetings across northern Ontario  
12 in order to have more information.

13 Trying to get the information then to be  
14 acted on is often the biggest problem, but definitely  
15 the concern is there that the timber management  
16 planning process right now is not going to allow us to  
17 continue to conduct business as usual.

18 Q. Ms. Dube-Veilleux, do you have any  
19 estimate of the amount of time that you would spend or  
20 that you did spend with travelling to meet with other  
21 members of NOTO?

22 I know that yesterday we filed a summary  
23 of your travels. Just have a rough idea of what sort  
24 of time commitment that involved.

25 A. The time commitment basically is



1 pretty well seven days a week with the travel time  
2 being probably three or four days a week generally  
3 going to different area meetings, visiting different  
4 operations, going to advisory committee meetings,  
5 taking part in just a multitude of exercises to discuss  
6 timber management and how it affects the remote tourism  
7 industry.

8 Q. Mr. Alexander, do you have a rough  
9 estimate of the amount of time you devote or have  
10 devoted in the past to Federation business?

11 MR. ALEXANDER: A. Well that's a  
12 difficult question. There was a time I thought I was  
13 going to keep track of it, but I didn't have time to  
14 keep track of it.

15 I can say that I can certainly recall  
16 times when I was away from home seven out of eight  
17 weekends in a row and when I mean weekends, I mean  
18 living in Dryden and doing what I was doing, a weekend  
19 generally were Thursday to Monday.

20 I can recall a time I was away 25 out of  
21 40 days travelling across the province or travelling  
22 across Canada, and that certainly does not take into  
23 account the fact that the phone never stops ringing  
24 when you are home. It might be a better question to  
25 ask my wife.

1 Q. Can you tell me, Mr. Alexander, do  
2 you know if the proposals of the Coalition as described  
3 in the terms and conditions have been circulated with  
4 members of the Coalition?

5 A. Oh, very much so. There has been a  
6 wide circulation. We have had numerous write-ups in  
7 the Angler & Hunter Magazine, we have produced handouts  
8 and documents that were circulated at satellite  
9 hearings.

10 These same documents were circulated to  
11 all the clubs within the Federation. We've had  
12 numerous presentations made by Federation staff at zone  
13 meetings, club meetings and annual meetings. Yeah,  
14 there's been a real big attempt to inform all our  
15 members.

16 Q. And do you have a copy of any of the  
17 handouts or brochures that the Federation has  
18 circulated with you today?

19 A. Yes, I have a copy in my binder.  
20 This particular -- Timber Management Planning for the  
21 Present and Future.

22 Q. Would that be it that I'm holding up  
23 now?

24 A. Yes.

25 Q. Is it entitled Timber Management

1 Planning for the Present and Future?

2 A. Yes, that's the one I'm talking about  
3 that we circulated.

4 Q. All right. Mr. Hanna is now showing  
5 to you the document that I have just referred to and  
6 you could identify that as the document that was  
7 circulated, I would ask Madam Chair and the Board--

8 A. Yes, that is the document.

9 Q. --to mark that as an exhibit.

10 MR. HANNA: (handed)

11 MADAM CHAIR: Thanks, Mr. Hanna. This  
12 will be Exhibit 2029 and it's entitled Timber  
13 Management Planning for Present and the Future produced  
14 by the Federation of Anglers & Hunters.

15 And is there a date on this, Mr.  
16 Alexander?

17 MR. ALEXANDER: It was produced early on  
18 in the process, prior to the first satellite hearing.  
19 I guess that would have been '89.

20 MR. O'LEARY: Okay, thank you.

21 ---EXHIBIT NO. 2029: Publication entitled: Timber  
22 Management Planning for Present  
23 and the Future produced by  
the OFAH, dated 1989.

24 MR. O'LEARY: Q. Can I ask, Mr.  
25 Alexander, have you formed any opinion or developed any



1 sense as to whether or not this document, Exhibit No.  
2 2029, has been reviewed and considered by members of  
3 the Federation?

4 MR. ALEXANDER: A. I can't say all of  
5 the members have got it or reviewed it, but there are  
6 numerous people that have reviewed that document, there  
7 is numerous people that commented on it, we have  
8 received letters from the OFAH and, of course, with our  
9 articles in the Angler & Hunter there's been calls  
10 about it and certainly there are members that attended  
11 the meetings and, in particular, our annual conference  
12 and reviewed it.

13 I can recall during my term as president  
14 of the OFAH and dealing with the Board of Directors of  
15 24 volunteers, that after meeting all day Saturday I  
16 called an evening meeting which went on until midnight  
17 that night to review and go over that document and  
18 other related documents pertaining to the EA, and I  
19 wasn't the most popular person but I kept the meeting  
20 going.

21 Yeah, it's been well reviewed.

22 Q. All right. And Ms. Dube-Veilleux,  
23 can you tell me whether or not you are aware of whether  
24 or not the Coalition's terms and conditions were  
25 circulated and reviewed within the membership of NOTO?

1 MS. DUBE-VEILLEUX: A. As Mr. Alexander  
2 has stated, OFAH presented or put together a pamphlet,  
3 as did NOTO, which was widely circulated to all the  
4 membership, as well as into the district MNR offices,  
5 and I believe that while we were here for the  
6 intervenor sessions that we distributed that to the  
7 parties involved at that time as well. This one was  
8 produced in December of 1989.

9 As we were doing this, we were also  
10 working in close cooperation with OFAH because we were  
11 very definitely aligned in many of our concerns, and  
12 while this is sort of an initial attempt by NOTO to  
13 address a lot of those concerns, obviously since  
14 December of 1989 we have been doing a lot more refining  
15 and working together to come up with terms and  
16 conditions that we felt we could all live with.

17 Q. You're holding a document in front of  
18 you there. Is that entitled Toward the Optimum Use of  
19 the Forests of Ontario?

20 A. That's right.

21 Q. And that's dated December, 1989?

22 A. That's right.

23 Q. And is this the document that was  
24 circulated within the membership of NOTO?

25 A. Within the NOTO membership and with

1 other agencies and groups that we were associated with  
2 and could meet whenever and wherever.

3 Q. Thank you.

4 MR. O'LEARY: I ask that this be marked  
5 as the next exhibit, Madam Chair.

6 MR. HANNA: (handed)

7 MADAM CHAIR: This document will become  
8 2030 and it's entitled: Toward the Optimum Use of the  
9 Forests of ontario and dated December, 1989.

10 ---EXHIBIT NO. 2030: Publication entitled: Toward the  
11 Optimum Use of the Forests of  
Ontario, dated December, 1989.

12 MR. O'LEARY: Q. Ms. Dube-Veilleux, can  
13 you tell me have you formed any sense as to whether or  
14 not the final version of the Coalition's terms and  
15 conditions have been reviewed and considered either by  
16 members of NOTO or other relevant groups that you have  
17 come in contact with.

18 MS. DUBE-VEILLEUX: A. Because I'm no  
19 longer on the NOTO Board I can't speak to exactly right  
20 now the extent of advised or the completed package of  
21 terms and conditions, but I do know that the operators  
22 that I deal with are fully aware of the existence of  
23 these and have had some input with myself as to  
24 different terms and conditions and suggestions as to  
25 how they are to be met.

1 I feel that they are, yes, very  
2 conversant with the terms and conditions as presented  
3 by the Coalition.

4 Q. All right. Now, can I ask you both  
5 whether or not --

6 MR. MARTEL: Can I ask a question before  
7 you go on.

8 MR. O'LEARY: Sorry.

9 MR. MARTEL: I'm not sure -- you said  
10 that this document was refined since coming out.

11 MS. DUBE-VEILLEUX: Yes.

12 MR. MARTEL: Is there a final draft of  
13 the document with all its refinements?

14 MS. DUBE-VEILLEUX: Well, this is  
15 where -- I believe you're aware that the Coalition was  
16 formed just earlier on, like in May of '91.

17 This was our -- NOTO's initial attempt.  
18 A lot of this is -- in the refining stages has been  
19 working in conjunction with OFAH and combining  
20 different wording and trying to address the matters in  
21 different ways.

22 We've added a lot of -- some things that  
23 were not addressed in here at all and that we've  
24 developed along with OFAH as we went along.

25 So I would -- and at that point I wasn't



1 working with the NOTO committee as well, so that  
2 obviously the work has still been going on since I left  
3 and I suppose that the members of NOTO, the Board,  
4 could speak to that better than I could, but it has  
5 been an ongoing process and the final results are the  
6 terms and conditions that we have here today.

7 MR. O'LEARY: Q. Just on that point, Ms.  
8 Dube-Veilleux, can you tell me what is NOTO's position  
9 with respect to the terms and conditions that are  
10 before the Board put forth by the Coalition?

11 MS. DUBE-VEILLEUX: A. NOTO supports the  
12 terms and conditions that have been put forth by the  
13 Coalition.

14 Q. Can I ask you both of you whether or  
15 not the Coalition's proposals have been discussed with  
16 the members of the public who are not affiliated with  
17 the Coalition?

18 MR. ALEXANDER: A. Yes. Certainly in my  
19 case one of the advantages or disadvantages, depending  
20 how you look at it, as being president is you get a lot  
21 of invitations to be a dinner speaker and speak at  
22 various functions for other groups, and I have spoken  
23 at Kinsmen Club and Rotary Clubs, Lions Clubs, these  
24 types of organizations, and talked to them about  
25 policies and positions of the OFAH.

1                   And certainly in northern Ontario when I  
2           was doing that, the subject I spoke about was the Class  
3           Environmental Assessment and our role in it and them  
4           people, although the odd one may have been a member of  
5           our organization, then people expressed concerns, knew  
6           that there was things happening out there they didn't  
7           like, and the comments that they generally made to me  
8           was: Well, we're glad someone is doing something about  
9           it and we wish you luck.

10                   Q. Ms. Dube-Veilleux, can I ask whether  
11           or not you're aware of discussions with members of the  
12           public not affiliated with the Coalition?

13                   MS. DUBE-VEILLEUX: A. Yes. Certainly  
14           within the groups, the advisory committees that I'm  
15           constantly involved with, as well as with the community  
16           economic development sector in the communities where I  
17           work - and I would include Hornepayne, Hearst, Wawa,  
18           White River - the same types of concerns exist as to  
19           the state of the forest and what's happening, and we  
20           have had discussions on the Coalition's position with  
21           the environmental assessment hearings and very much the  
22           same type of reaction as Mr. Alexander: Thank goodness  
23           someone's doing something.

24                   People are also interested in knowing how  
25           they can get involved, but generally, because it's been

1 going on so long, a lot of people have lost sight of  
2 how they can get involved, and so that's still  
3 something that is generating interest again.

4 Q. Now, if someone was to approach you  
5 and was to say that the Coalition's terms and  
6 conditions failed to satisfy the great majority of  
7 the mixed concerns regarding timber management, what  
8 would your response be, Ms. Dube-Veilleux?

9 MR. FREIDIN: Well, Madam Chair, with  
10 respect we're getting into the rankest form of hearsay.  
11 He's already asked what the reaction was of the people  
12 that they spoke to. They have already indicated  
13 that -- both of them said that they told them we are  
14 glad someone's doing something and good luck. Ms.  
15 Dube-Veilleux accepted that.

16 Now, we're going on, and I don't know  
17 whether he doesn't like that answer and he wants to say  
18 now: What do you think they would say if you asked  
19 them this question.

20 We're getting into a hypothetical which I  
21 don't think is going to be of any significance,  
22 particularly because it's hearsay.

23 And I know the Board can accept hearsay,  
24 somewhere we've got to draw the line. I would suggest  
25 this would be a reasonable place to do it.

1 MR. O'LEARY: Well, if I may response,  
2 Madam Chair. First of all, I have not given a  
3 response to these witnesses. I have put to them a  
4 hypothetical question, and that I'm entitled to do both  
5 before a board and any court in this country, and I  
6 heard both the first suggestion of Mr. Freidin that  
7 it's a hearsay question, I disagree with that and  
8 respectfully suggest that that's not the case, and I am  
9 entitled to put a hypothetical to these witnesses and  
10 their response is I think something of relevance that  
11 they should be asked to answer.

12 MADAM CHAIR: All right. The Board is  
13 going to overrule your objection, Mr. Freidin. Let's  
14 not waste time, Mr. O'Leary, move on.

15 MR. O'LEARY: Q. Do I need to repeat the  
16 question?

17 MR. ALEXANDER: A. Please.

18 Q. My question simply was: If someone  
19 was to say to you that they were of the view that the  
20 terms and conditions of the Coalition are unnecessary  
21 to satisfy the great majority of the public's  
22 concerns regarding timber management, what would your  
23 response be?

24 A. In my opinion my response to that  
25 would be they are misinformed and they don't -- they're



1 not in touch with what's being said out there.

2 I personally have reviewed the terms and  
3 conditions of various parties and I find ours to be  
4 superior in my opinion.

5 Q. Ms. Dube-Veilleux?

6 MS. DUBE-VEILLEUX: A. Basically I can  
7 concur with Mr. Alexander. I guess the other point is  
8 that I would ask to see any other response that would  
9 be superior to what we are proposing by the Coalition.  
10 Definitely something -- everyone has a strong feeling  
11 that something has to be done, and I believe that this  
12 is a strong attempt to do that.

13 Q. Now, may I ask you to refer to  
14 attachment No. 1 to the errata which was filed  
15 yesterday and marked as Exhibit 2024.

16 Now, as lay persons who are actively  
17 involved in public consultation based upon your  
18 evidence yesterday involving various resource  
19 management issues, what is your view as to the  
20 components listed in attachment 1 in relating to the  
21 public consultation process?

22 MADAM CHAIR: Excuse me, Mr. O'Leary, we  
23 seem to have lost our exhibit.

24 MR. ALEXANDER: The errata.

25 MR. O'LEARY: Yes.

1 MADAM CHAIR: 2024.

2 MR. O'LEARY: It's the (indicating)

3 MADAM CHAIR: Please go ahead, Mr.

4 O'Leary.

5 MR. O'LEARY: Q. Ms. Dube-Veilleux, did  
6 you find the attachment I'm referring to?

7 MS. DUBE-VEILLEUX: A. Yes.

8 Q. Can you just give me a view as to the  
9 components set out in that attachment?

10 A. I would say that in my experience  
11 certainly that these are just absolutely necessary in  
12 any type of meaningful consultation or exchange of  
13 information or decision-making, and that would be at an  
14 advisory committee level, it would be within members of  
15 any particular organization. In any type of  
16 organization this is absolutely necessary in order to  
17 go ahead.

18 Q. Mr. Alexander?

19 MR. ALEXANDER: A. Well, to me these are  
20 the fundamental requirements needed to have meaningful  
21 public consultation. Just looking at them, the very  
22 first one, sufficient trust.

23 Well, obviously you must have trust in  
24 those responsible for preparing the plan, that's a  
25 fundamental thing. And you must feel that there's a

1 reasonable chance that your views would have been  
2 included in decisions that are being made and on and  
3 on, and naturally the information has to be there and  
4 you can't feel intimidated to attend a timber  
5 management planning meeting.

6 Q. Thank you. Now, turning to page 19  
7 of your witness statement, specifically Question 33,  
8 you were both asked a question in relation to the first  
9 point, is that the public must have sufficient trust in  
10 the planning process and in those conducting the  
11 planning.

12 Do you agree or disagree with this point,  
13 and you both agreed. Can I ask you, Mr. Alexander, to  
14 expand on that.

15 A. Well, if the public doesn't trust you  
16 then the effective input and effective consultation is  
17 not going to happen.

18 As a matter of fact, if the public  
19 doesn't trust you, they won't even show up at a timber  
20 management plan meeting or any other meeting for that  
21 matter. If they feel decisions have already been made,  
22 that their opinions or views are not going to be acted  
23 on or listened to, they will not show up because they  
24 don't trust you.

25 Q. Ms. Dube-Veilleux, do you have

1 anything to add?

2 MS. DUBE-VEILLEUX: A. I would add that  
3 certainly trust is of paramount importance in getting  
4 the best public consultation procedure going that's  
5 possible.

6 As Mr. Alexander stated, first of all, in  
7 getting the people to come to the meetings, they have  
8 to believe that they will be listened to and that their  
9 ideas will have an impact on decision-making and also  
10 that the information that they are provided with will  
11 be good, honest facts that they can use to form  
12 opinions and proceed further in making choices, and  
13 that trust though has to be there to get them to come  
14 in the first place.

15 And I think the public has often  
16 indicated trust by coming to meetings and then lost  
17 that trust because they haven't felt listened to quite  
18 enough.

19 And we find that with our organization,  
20 you know, with organizations themselves or with any  
21 type of committee that we sit on, that sometimes  
22 initially it might even take a while to build up from a  
23 position of mistrust to just acceptance and then a  
24 trusting position, and that's when things starting  
25 getting done.



1 Q. Mr. Alexander, you indicate in your  
2 answer to Question 34 in the witness statement that:

3 "I would say that the level of trust in  
4 the current timber management planning  
5 process is quite low."

6 What basis upon which do you rely or what  
7 information do you have that leads you to that  
8 conclusion?

9 MR. ALEXANDER: A. Well, I make that  
10 statement based on discussions with members of the  
11 public across the province, members of the Coalition,  
12 on my own personal experience in attending open houses  
13 and information sessions, and results of surveys like  
14 Dr. Neuman's.

15 And as one who's been involved in  
16 expressing opinins about timber management for a number  
17 of years, I can give you an example.

18 Back in 1980 - and perhaps some may feel  
19 that's going back too far - but I will start there, and  
20 in 1980 me and several others attended a timber  
21 management planning meeting and our main concern at  
22 that time was location of the access roads.

23 We attended that open house and were  
24 shown where the road was, its present location, where  
25 it terminated, and were provided with the options from

1       that point on, and there was 30 days time for us to  
2       respond to those options.

3                       So what we felt we would do was the next  
4       day we decided to go up this road because we had some  
5       other interests in there, it was in an area where we  
6       happened to have a cabin, and our plan was to go up and  
7       access a couple of small lakes that were up there.

8                       So we went there, we went to the  
9       termination of the road and it did in fact end where  
10      they said it had ended and the options would go in  
11      various directions from there. Much to our surprise,  
12      when we got there we found a survey line that was  
13      already cut for the next 10 miles for the preferred  
14      option and it certainly made me feel: Why did they  
15      show us these others options when the survey line was  
16      already there.

17                      And I'm not sure if you're familiar with  
18      what a survey line, but it's a fairly wide cut through  
19      the bush and it's obvious to any -- obvious to me and  
20      to us the money had already been spent to cut that  
21      survey line and, in fact, the options they presented  
22      were simply, if I can use the word, a cover up, they  
23      were going to go that way and that does not instill any  
24      trust.

25                      MR. MARTEL: Can I ask, Mr. Alexander:

1 We've heard it at all our town hall meetings how this  
2 hearing has significantly changed that approach.

3 Is it the experience of your members that  
4 that might be the case in 1980, but by 1990 that in  
5 fact the response is somewhat more positive, and we  
6 heard your colleague yesterday indicate how she was  
7 actually part of the planning team now.

8 I'm not trying to dismiss what you're  
9 saying to me because that's the story we've heard over  
10 and over again, but if we can bring it up 10 years,  
11 what is the impression of your membership and Ms.  
12 Dube-Veilleux's membership as well now?

13 I mean, we've heard all the horror  
14 stories that -- I think as we've travelled, at all the  
15 satellite hearings we've heard these concerns have been  
16 expressed, but what is the condition now as opposed to,  
17 let's say, 10 years ago?

18 MR. ALEXANDER: Well, in my experience  
19 certainly there has been improvements in the way things  
20 used to take place. The concern that I have is: Will  
21 these improvements and changes continue to take place  
22 when this process is done.

23 I think I can safely say, because people  
24 knew I was coming here there has been a few things  
25 happen just recently, but that's the opinion I have,

1 but anyway, there has been some changes made and as  
2 long as they are going to continue.

3 The things that haven't been done I think  
4 that need to be done, I still do not see them  
5 identifying non-timber values. I'm sorry. I guess I  
6 could add that, I think I'm going have an opportunity  
7 later on under some things I want to introduce which  
8 will show some concerns I have for things that have  
9 happened in 1990.

10 MS. DUBE-VEILLEUX: A. Yes. I would  
11 have to say too, and being very much involved at the  
12 present time I do -- I'm hopefully part of a changing  
13 process here and I'm happy to be where I am and doing  
14 what I'm doing.

15 However, we still need, I believe, more  
16 success stories for that trust to be part of a real  
17 working part of the process, and as recently as the  
18 last two, three years and even last week at a  
19 particular public meeting in White River certainly that  
20 distrust is still there.

21 It's hopefully changing, and in some  
22 places and some instances it is changing, but it's not  
23 written in stone yet that we can depend on the process  
24 developing to be the best it can be.

25 For example, last week in White River at



1 a meeting that we were holding with the anglers &  
2 hunters in the White River area to discuss some of the  
3 tourism concerns, the distrust was something you could  
4 touch in the air as you walked in and the hostility was  
5 wicked.

6 I happened to get it from both sides  
7 because I have been travelling with our district  
8 manager and the MNR staff to go from Wawa to White  
9 River and initially they distrusted me because they  
10 thought I was with MNR, and then when they found out I  
11 was with the anglers and tourist industry, I got it  
12 again.

13 So obviously it's out there and it's very  
14 real. So there's a lot of work to be done and a lot  
15 more information and sharing of information and sharing  
16 of positions and coming together on how we can best  
17 work the management of the forest together so that all  
18 the needs of the non-timber values, and the non-timber  
19 values are as well addressed as what the wood fiber  
20 interests are.

21 MR. ALEXANDER: A. If I may, I thought  
22 of something, another point I wish to make on that 1980  
23 road, if I may. And what eventually happened out of  
24 that we -- the people that were with me that were  
25 concerned about it, we suggested that the road cross a

1 particular river in another location than what they  
2 were proposing and it did mean an extra haul distance  
3 to the company of perhaps some 15 to 20 miles, and we  
4 don't have the ability to collect all the data to  
5 decide which is the best route for that way.

6 But we did know that the river they were  
7 going to cross was a major walleye spawning area and  
8 probably, if not the largest concentration of walleye,  
9 spawning walleye in the Province of Ontario, perhaps  
10 one of the largest, and our concerns were not heard I  
11 guess or not acted upon because of the extra cost and  
12 we felt that if they went the other way they would  
13 avoid the spawning area and they would lessen the  
14 access problems they were going to create.

15 But the result was they built the bridge  
16 across the river at an area where there was very high  
17 clay banks and it was very unstable and a few years  
18 later -- well, when they built the bridge, of course,  
19 they pushed a lot of trees and clay and whatnot into  
20 the river, so much clay into the river that the fish  
21 turned white and if you're familiar with walleye  
22 they're generally a yellow-type fish depending on the  
23 water they're in - sometimes they're white in some of  
24 the Wabigoon lakes - these ones are yellow walleye but  
25 they turned white almost overnight and stayed that way

1 for couple of weeks, that's how much clay was in their  
2 system.

3 And a couple of years later the bridge  
4 washed out and, of course, this created a lot more clay  
5 into the system and the Ministry of Natural Resources  
6 then had to go back in and repair that bridge at a cost  
7 of some \$400,000 to the taxpayer.

8 Fish and Wildlife Branch of the Ministry  
9 of Natural Resources had to implement two different  
10 walleye sanctuaries of different lengths at different  
11 times to control the fisheries problems that was in  
12 there.

13 And I've often wondered, like the cost to  
14 the company of going that extra 15 or 20 miles, which  
15 was greater: The cost to the Fish and Wildlife Branch  
16 and the cost to the Land Branch of constructing that  
17 bridge, or repairing that bridge, or enforcing all the  
18 other problems that came with it.

19 I can't tell you in dollars and cents,  
20 but I would feel that the cost to the taxpayer would  
21 have been better if the road would have went the other  
22 way.

23 Q. Mr. Alexander, can I refer you again  
24 to your response to Question 34 on page 19 of your  
25 witness statement where you say:

1 "First and foremost, the timber  
2 management planning process as  
3 implemented by the Minister of Natural  
4 Resources is strongly biased towards  
5 fiber production."

6 Can you tell me what evidence you rely  
7 upon or information you have that leads you to that  
8 conclusion?

9 A. Well, I guess first of all the  
10 purpose statement in the class environmental -- or in  
11 the timber management planning is to supply a  
12 continuous predictable amount of wood fiber to the  
13 mill, so that obviously is going to create some bias to  
14 produce wood fiber. That's the object of timber  
15 planning.

16 What we need is more quantitative  
17 objectives that are set out for other things other than  
18 just wood fiber. And there is much more time, effort  
19 and money spent on analysing data and determining what  
20 is going to be the cost to get this wood to the mill,  
21 there's more time and money and effort spent on that  
22 then there is on analysing non-timber values.

23 Q. All right. In terms of the level of  
24 analysis that you have made mention of, what is the  
25 ultimate effect of this?



1                   A. Well, certainly the ultimate effect  
2 is, if you only -- if most of your effort is put into  
3 supplying wood fiber, then when the public comes in  
4 here and they get an opportunity to look at the  
5 options, the options are strongly in favour of wood  
6 fiber because that is the stated goal of it.

7                   Q. Do you have a view as to what appears  
8 to be the primary objective to you in a timber  
9 management plan?

10                  A. Well, the primary objective is to  
11 supply wood.

12                  Q. Is that what you believe the primary  
13 objective should be?

14                  A. Well, the primary objective to me  
15 should be to look at all of the resources that are out  
16 there. The primary objective should be to provide an  
17 optimum benefit for the natural resources, not just the  
18 wood fiber.

19                  MS. DUBE-VEILLEUX: A. If I may add.  
20 Certainly where the tourism component comes in as  
21 compared to the wood objectives - and granted that the  
22 main objective here is the wood supply because it is a  
23 timber management plan - other uses of the forest are  
24 equally as important as the actual supply of wood and  
25 much of that wood left standing allows the tourism

1 industry certainly to exist within that forest.

2 And while we can respect the fact that  
3 the timber harvesting and operations must be well  
4 planned, we feel that in that planning process there's  
5 room for an analysis as well, or equal analysis of the  
6 existing industry that will be affected by the changes  
7 caused by the timber management plan.

8 And certainly I have to say it again,  
9 tourism is an industry and it has costs related to it  
10 and it has economic impacts related to it and it has  
11 high quality environmental values that are a major part  
12 of that industry, as well as the fish and wildlife  
13 values.

14 And, therefore, if we balance that with  
15 that wood supply, I think that definitely the planning  
16 process doesn't weigh that and the effects go far  
17 beyond just taking wood.

18 Q. Can I turn you now to the Coalition's  
19 terms and conditions and specifically term and  
20 condition No. 3.

21 And in relation to the concerns you just  
22 expressed, Mr. Alexander, I was wondering if you can  
23 tell us whether or not you formed any opinion or have a  
24 view as to whether or not term and condition No. 3 is  
25 of relevance?

1                   A. Well, it's a very important term  
2 because if it was adopted then it very clearly shows  
3 that all things must be considered, not just wood  
4 fiber, it's a predictable supply supply of resource  
5 benefits as opposed to the predictable supply of wood.

6                   And if these things are all considered  
7 then -- and the pertinent data is collected the forest  
8 would be then managed for everything that is out there  
9 and not simply under the view that the trees are  
10 standing there waiting to be cut.

11                  Q. All right. Can I ask you the same  
12 question in respect of term and condition No. 4.

13                  A. Well, it talks about, strive for an  
14 optimum mix of resource benefits, and this is required  
15 because it will provide a balance between timber and  
16 non-timber values and ensure that effective public  
17 consultation.

18                  And going on, like No. 5 describes how we  
19 can obtain this balance. To me these are fundamental  
20 things.

21                  Q. All right. In your response, Ms.  
22 Dube-Veilleux, to Question 35 you state that:

23                         "Typically forest access roads are built  
24 around a single objective with other  
25 resource user concerns being treated as

1 constraints."

2 What evidence do you have or what  
3 information do you rely on that leads you to such a  
4 conclusion?

5 MS. DUBE-VEILLEUX: A. It's a fact of  
6 life in northern Ontario that once a road is built it's  
7 going to be used, and whether that road was built  
8 primarily as a forest access road becomes almost a moot  
9 point because once the access is there it will be used  
10 in some way.

11 Now, it does provide opportunities for  
12 local anglers, not just local anglers, anyone who can  
13 gain access to that area. It's a part -- it's a part  
14 of the network in the north.

15 Actually I'm quite thankful on days like  
16 this that we don't have the same network yet that is in  
17 Toronto in trying to get around from one place to the  
18 other.

19 But definitely it is a fact of life in  
20 the north that the road will be used and, therefore,  
21 once that road is put in for the purpose of accessing  
22 timber, then the other uses must be taken into  
23 consideration because they will have an effect on the  
24 forest and on the resources just as a matter of fact.  
25 And, therefore, the impacts are extremely high of any



1 road, whether it be primary, a secondary or a tertiary.

2 Q. Now, Mr. Alexander, turning to

3 Question 37 --

4 MR. ALEXANDER: A. Could I go back.

5 Q. Certainly.

6 A. I'm just looking at the terms and  
7 conditions, and when I look at term and condition No. 5  
8 and go over to Roman numeral (vi) on page 2, forest  
9 recreation opportunities and values (e.g. hunting,  
10 fishing, camping) these types of things.

11 I would just like to point out to the  
12 Board that you have to understand how the people in  
13 northern Ontario view resources. I mean, they have a  
14 loving attachment for everything. They're not opposed  
15 to timber operations, they just very strongly feel that  
16 there is a lot of benefits out there and it's a  
17 different type of attachment than what somebody in  
18 Toronto may have.

19 And it's very common for -- if you listen  
20 to obituaries on the radio or read obituaries in the  
21 newspaper columns, frequently they will say: He was a  
22 member of such and such a fish and game club, he loved  
23 the outdoors particularly hunting and fishing. That's  
24 a common thing.

25 If you go to -- if you go into the

1       cemetery where I live in the Town of Dryden, and I  
2       suppose because we have a granite quarry close by there  
3       and they do produce some nice tombstones, they draw  
4       beautiful maps, carve beautiful maps on tombstones  
5       depicting moose and fish and a little camp and a little  
6       area that that part of the world that person really  
7       loved and was terribly attached to.

8               There's a real concern for the resources  
9       out there. There's not opposition to timber  
10      harvesting, but there's a lot to what's happening out  
11      there and it's not uncommon for people to be cremated  
12      and have their ashes dumped over a particular part of  
13      the forest or a particular lake or have it dumped into  
14      a stream that's going to go into a particular lake that  
15      had a lot of attachment for them.

16             And I think that's something that the  
17      Board needs to understand. There's a different type of  
18      concern there.

19             MS. DUBE-VEILLEUX: A. If I may, Mr.  
20      O'Leary, when you posed the question I'm not sure that  
21      I answered it fully.

22             I believe you asked me about the idea of  
23      other uses or other concerns being treated as  
24      constraints. Constraints here, I would have to say  
25      that in my experience in dealing with the timber

1 management plan and with the alignment and types of  
2 roads, certainly some of the constraints that the  
3 planners are looking at when they're writing the plan  
4 is the existence of reserves on streams, the existence  
5 of reserves on sensitive water bodies, on lakes, eagles  
6 nests, all these things that are in different  
7 guidelines are viewed as detractions from the wood  
8 supply, not as a value that's there but as something  
9 that is taken away from the wood supply.

10 And we find the same thing when we're  
11 dealing with tourism concerns and areas around tourism  
12 industry lakes that are crucial to the operation of the  
13 industry, when we ask for some type of protection or  
14 consideration for those areas, again, that is viewed by  
15 the planners as a constraint to getting the wood  
16 supply.

17 We find that there's no real value  
18 attributed to these other uses as a comparable value to  
19 the actual production of wood supply. And we just feel  
20 that within the whole planning process that becomes an  
21 extremely necessary part.

22 It has to be -- it has to work hand in  
23 hand with the planning for the timber, and when that is  
24 done, then it becomes -- the way roads are planned  
25 becomes a very crucial issue because the roads can be

1 planned to maximize opportunities for the local anglers  
2 and hunters and also to protect the remote sector and  
3 values associated with the tourism sector.

4 But taking all that into consideration  
5 certainly the building of roads can be maximized for  
6 all users of the forest, rather than basically going in  
7 a straight line just to get the timber.

8 Q. Thank you. Mr. Alexander --

9 MR. MARTEL: There is a problem. You say  
10 there can be -- roads can be used, but the evidence  
11 we've received, there's a tremendous difference between  
12 what the outpost - if I can use the term - operator  
13 wants and someone who relies on access to get their  
14 clients in, the fly-in, and the experience that people  
15 are looking for in terms of outposts is as much  
16 aesthetic as it is for hunting and fishing.

17 How would you protect those qualities,  
18 given that you could do what you wanted, because I  
19 think the difficulty, at least for me - I don't want to  
20 speak for my colleague yet - is to try to get a handle  
21 on just what it is could protect the outpost  
22 experience.

23 I mean, a buffer of 200 metres, 120, do  
24 you need 500 metres to protect it adequately, and how  
25 many people are involved?



1 I mean, we asked the question many moons  
2 ago just how many tourist operators there are in the  
3 north, because when one looks at making any policy one  
4 would have to know just how many operations are out  
5 there before you can really start to grapple with it  
6 because you don't know what the effects would be, but  
7 we don't even have that bit of information yet, and in  
8 four years we couldn't tell you there are 2,500 resort  
9 operators, 400 are in the threatened area because  
10 fly-in is being squeezed, we don't have that  
11 information yet.

12 And how do you deal with the two, I mean,  
13 those who need one sort of access as opposed to  
14 those -- what kind of reserves do you think are  
15 necessary in order to protect the remote tourist  
16 operation?

17 We don't have that yet. We haven't heard  
18 much of that quite forth -- in cross -- people argue  
19 maybe we have and maybe I missed it, I might have been  
20 asleep on that day that it was presented, but quite  
21 frankly things to put my teeth into yet are still  
22 missing.

23 MS. DUBE-VEILLEUX: Maybe --

24 MR. MARTEL: As far as I'm concerned. I  
25 don't speak for my colleague.

1 MS. DUBE-VEILLEUX: I would like to try  
2 and help you.

3 MR. MARTEL: All right, help us.

4 MS. DUBE-VEILLEUX: And again, based on  
5 where I'm living and working right now and the  
6 experience that we've had over the last years, much of  
7 that information actually is available on a  
8 site-specific basis.

9 I wouldn't attempt to come up with the  
10 numbers across northern Ontario, but I certainly have a  
11 pretty decent feel for our area, and I can tell you  
12 some of the concerns that you have: How do you  
13 balance, what exactly does constitute protection, and I  
14 have to agree with you that a buffer around a lake does  
15 not constitute any type of protection and nor is it  
16 aesthetically pleasing. So we haven't solved any  
17 problems by leaving a buffer, that's No. 1, and it  
18 looks terrible from the air.

19 And I guess being involved in an air  
20 service or many of our operators being involved in an  
21 air service have to face that problem because we can't  
22 fool our clients who are flying over the area. You can  
23 fool the ones who are along the river or paddling a  
24 canoe by leaving a buffer because they don't ever get  
25 off the water to go and see what's behind it, but you

1 can't fool our people, and we recognize that that is a  
2 fact that we have to live with because we also  
3 recognize that we live with the timber industry.  
4 That's a reality of our life too. And so the problem  
5 is a real problem for the tourism industry.

6                   However, we do have some ideas and in  
7 working with the timber operators in our area we're  
8 coming up with what we think may be some pretty  
9 acceptable compromises, and not even necessarily  
10 compromises but just better planning to avoid the  
11 problems that we've had in the past.

12                   And this will never ever be the ultimate  
13 as far as the tourism industry goes, but we feel that  
14 things like planning -- first of all, the roads have to  
15 be planned so they don't create any new and direct  
16 access. That sort of comes automatically.

17                   Recognizing that as roads are planned  
18 they also open up opportunities for the local people  
19 and others who require road access and require these  
20 types of recreation, and that is a valued use of those  
21 roads as well.

22                   The planning -- depending on the area  
23 obviously. You have to plan differently if you're in  
24 rugged mountainous area than if you're in a swamp. So  
25 sometimes the constraints are strictly constraints that

1 the land base is present. We have tools that we can  
2 use, things like viewscape analysis that helps to give  
3 a clear picture from the lake of what we actually can  
4 see. Now, that takes care of the people on the ground  
5 and what they're going to see.

6 Added to that we know out there that  
7 there are lots of different types of forestry that we  
8 don't traditionally practice in northern Ontario in our  
9 boreal forest that would solve many of these problems.  
10 There are things like selective harvesting, there are  
11 things like different types of machinery, there are  
12 other tools like -- or ideas and combinations of ideas  
13 that can be used by the forest industry to minimize a  
14 lot of the impacts that are creating the problems  
15 today.

16 We know that in planning a road  
17 properly -- we'll go back. For both the local tourism  
18 industry and local population a big problem is the  
19 construction of roads and the idea that as roads are  
20 being constructed traditionally in northern Ontario the  
21 cutting precedes the road almost because they're  
22 cutting out the roadway, and so you end up with those  
23 cuts going way, way back on both sides of the road and  
24 creating a habitat problem initially for the moose, and  
25 as far as protective cover and browse and all the rest



1 of it, depending on where it may happen to be, and the  
2 type of stands that are there and recognizing all that.

3 The other problem that is compounded  
4 because -- is that access is now created, those moose  
5 are out there and very visible and we do have a hunting  
6 season and those -- and that's an opportunity for  
7 hunting that has been created that wasn't there before.  
8 So with every mile of road and the way we cut roads  
9 we're also having an extreme effect on our moose  
10 populations.

11 Now, there has to be a better way to  
12 build that road, right, first of all because we want to  
13 address everyone's needs and certainly equally as  
14 important is we want to protect the moose at the same  
15 time. So maybe if the roads were cut a little  
16 differently, if the use of those roads was planned a  
17 little differently, initially before cutting them there  
18 have to be ways to make it work and they're making it  
19 work in other parts of Canada and in other parts of the  
20 world, and we feel very strongly that some of those  
21 methods should be looked at by our forest industry  
22 right now. It's not too late.

23 MR. MARTEL: You still haven't told me  
24 though what you do around the lake though, because  
25 while you might find a location -- I mean, I'm not

1       trying to be obstinate about this.

2                   MS. DUBE-VEILLEUX:  No, no.

3                   MR. MARTEL:  You might move the road a  
4       half mile, what does that do for bringing the harvest  
5       to within -- let's say we had a buffer of 250 metres  
6       instead of 120 or 30 or 60, whatever's in the  
7       guidelines, depending on the slope, et cetera, how do  
8       you resolve the difficulty for the outpost operation?

9                   As you yourself said, from an airplane  
10      you can see it, it's only 120 metres.  How -- you see,  
11      that's what I've been grappling with, trying to find  
12      out how many we're talking about to see if it is  
13      possible to pose - depending on the numbers game of  
14      course - some sort of limitations on how close you can  
15      come to an outpost camp.

16                  But I have no idea what that would  
17      involve in terms of wood supply or anything else, and  
18      we don't seem to be grappling.  I mean, I've heard all  
19      of these ideas.  I mean, we've heard any number of  
20      things, we've heard what you can do, but no one has  
21      told me yet what you do to protect an outpost operation  
22      using the guidelines because obviously, according to  
23      the material we've received, it just isn't big enough.

24                  And you haven't told me what you'd do.  
25      You say you deal site by site, or you say you'd have

1 different size reserves or what to protect certain  
2 tourist operations.

3 MS. DUBE-VEILLEUX: That might be one  
4 tool that could be used, or one thing that could be  
5 looked at would be different sizes. Sometimes you may  
6 be looking at more distance at one end of the lake in  
7 order to protect values at that end, but -- and I guess  
8 maybe just aesthetically if you put the donut the 120  
9 metres around the lake, it looks -- you can't fool  
10 anybody with that.

11 However, right off the bat if it was that  
12 solid area of protection but then tapering off as you  
13 get away from the lake would certainly solve some of  
14 the aesthetic problem from the area. In other words,  
15 more selective cut and then keep the clearer cuts back  
16 further.

17 Now, I guess the other thing in helping  
18 to make those kinds of decisions and what we're not  
19 doing right now is we are basing it -- again, the  
20 intent of the timber management plan is to extract  
21 timber.

22 If we were doing things a little  
23 differently, if we were balancing out the actual values  
24 that we have here we might find that the few extra  
25 trees that would be left, or extra areas that would be

1 left before getting into the clearcuts and the value of  
2 that timber taken on a one-shot basis is almost  
3 negligible compared to the viability of that tourism  
4 operation over the longer term. Because we have to  
5 live with that forest and the changing forest structure  
6 those impacts have every -- it's just crucial to the  
7 operation of the tourism industry, and if we balance  
8 out the revenues and the economic impact of these  
9 operations as opposed to the value of that actual wood  
10 supply, we might find that we're not doing our province  
11 any favours by taking just the wood and not recognizing  
12 the other industry that is there.

13 And if we're looking at it that way, I  
14 think we can come up with ways of protecting the  
15 aesthetics and still allowing the wood supply, but we  
16 also have to balance the economics of the other  
17 industry that is there and that has been there for a  
18 lot of years, and that could be there for the next  
19 hundred to 200 years as long as we are managing the  
20 forest around that area to allow for it.

21 MADAM CHAIR: Ms. Dube-Veilleux, we are  
22 going to be addressing this specifically in a separate  
23 witness panel. Could you remind the Board, are you  
24 appearing as a witness in that panel?

25 MS. DUBE-VEILLEUX: No, I am not.



1 MADAM CHAIR: And is there a NOTO  
2 witness --

3 MS. DUBE-VEILLEUX: On Panel 8?

4 MR. HANNA: On Panel 9, yes.

5 MADAM CHAIR: Yes. And could you remind  
6 us who it is, Mr. Hanna?

7 MS. DUBE-VEILLEUX: Dixon.

8 MR. HANNA: Mr. Bud Dixon.

9 MR. MARTEL: I read it last night. It  
10 doesn't tell us much about the questions I've posed,  
11 I'm afraid.

12 I mean, it is a difficult problem we're  
13 grappling with and if we don't have some -- I really  
14 am.

15 MR. O'LEARY: Mr. Martel, we made a note  
16 of your comments and I hope to be able to help answer  
17 some of them in our examination of Mr. Dixon when the  
18 time comes.

19 MADAM CHAIR: Excuse me. I guess we'll  
20 repeat one more time. Over the years we've always  
21 expected when we heard from the NOTO witnesses that we  
22 would be given a fairly clear idea of the number and  
23 location of remote tourist operators, and we have asked  
24 various times that that be mapped.

25 I think we have asked for that in reply

1 as well - we didn't ask for that in reply - to give the  
2 Board some idea of where your members are located. We  
3 don't have in front of us --

4 MS. DUBE-VEILLEUX: I will have, Madam  
5 Chair, maps coming in this afternoon that I requested  
6 from the Ministry of Tourism and Recreation both from  
7 northeastern and northwestern regions that should be in  
8 Toronto hopefully yesterday or this morning and will be  
9 delivered over here. That may help.

10 MR. MARTEL: I'm surprised that that  
11 information is not readily available either at the  
12 Ministry of Tourism. You must have a tourism licence  
13 to operate, as I understand it. Maybe I'm wrong.

14 MS. DUBE-VEILLEUX: Yes.

15 MR. MARTEL: Based on that information,  
16 the Ministry must be able to tell us rather easily how  
17 many people are out there and specifically what type of  
18 operations there is, but it's been a four-year misery.

19 MS. DUBE-VEILLEUX: Well, these maps I'm  
20 getting are from Ministry of Tourism and Recreation but  
21 I haven't seen them yet.

22 MR. O'LEARY: Madam Chair, if I may just  
23 raise one point that comes to mind on the point Ms.  
24 Dube-Veilleux has just said, the maps are coming this  
25 afternoon.

1                   There's a strong likelihood that we will  
2                   be in the course of cross-examination at that time and  
3                   while I know that there is a rule that isn't always  
4                   abided by to the letter, I think it's important that I  
5                   point out that it is a duty that I feel obligated to  
6                   abide by and, that is, that I should not be conversing  
7                   with the witness panel while they are in the course of  
8                   cross-examination.

9                   And I just wanted to point out, when  
10                  those those maps come in, and ask counsel if they had  
11                  any difficulty with me speaking with my witnesses at  
12                  that point when the maps come in in response to your  
13                  enquiry.

14                 MR. FREIDIN: You won't get any objection  
15                 from me, Mr. O'Leary.

16                 MADAM CHAIR: Would there be any  
17                 objections from counsel?

18                 MS. SEABORN: No, Madam Chair, but  
19                 perhaps we could ascertain from Mr. O'Leary when they  
20                 propose then to lead evidence in respect to the maps  
21                 after Mr. O'Leary's reviewed them with his clients?

22                 MR. O'LEARY: We may have a couple of  
23                 questions, but until I've seen them and had a chance to  
24                 discuss them I mean, all of the possible answers may be  
25                 self-evident from the maps.

1 MADAM CHAIR: I think Ms. Dube-Veilleux  
2 would want to satisfy herself that she would feel those  
3 acceptable maps with respect to showing the location of  
4 various tourist operations.

5 MS. DUBE-VEILLEUX: Yes. I also have no  
6 idea at this point whether they're both even the same  
7 scale maps or whether they indicate all operations such  
8 as marinas and that type of thing as well as -- I'm not  
9 sure what the distinctions will be as to the types of  
10 operations that are represented on that map.

11 MADAM CHAIR: All right. Shall we move  
12 along Mr. O'Leary.

13 MR. O'LEARY: Yes.

14 MR. ALEXANDER: Could I make just one  
15 comment just in response to Mr. Martel, and I think  
16 everybody is aware that there's always been a conflict  
17 when it comes to the building of access roads and  
18 remote tourism, people want them closed and people want  
19 them open.

20 And I think one of the ways to resolve  
21 that is, when you build an access road, it is built  
22 from point A to point B, usually an accessible route to  
23 get the timber out of there and it avoids the lakes.

24 What you never see, you never see an  
25 access road that will create new access to a new lake



1 for a resident to go to. It will cross a river and it  
2 will cross a stream and you can get up and get a boat  
3 in there. What they do not do is create new access and  
4 if they get too close to a remote tourism lake, then  
5 they will close the road so the public can't use it,  
6 and this infuriates people and creates conflicts.

7 To me what you need to do is you need to  
8 build that access road and if there is a lake here  
9 that's got a tourism facility on it and one here that  
10 hasn't, then you have to create some access to the  
11 public to that lake and you have to say to the public,  
12 be very up front and honest about it: Look it, we're  
13 going to avoid this lake because we don't want you in  
14 there, but we're going to create some access over here  
15 for you to get to, and we have thousands of lakes.

16 You can drive from Dryden to Fort Frances  
17 on the new Manitou Highway, a distance of 90 miles down  
18 the Atikokan Highway, and you'll see one lake and yet  
19 go by thousands of them, like there was tremendous  
20 opportunities that could have been created there.

21 And I mean, I'm getting into all kinds of  
22 things, the way of specific management and whatnot, but  
23 to me it's never been the access road that's the  
24 problem, it's where you build it is the problem.

25 MADAM CHAIR: In that case, Mr.

1 Alexander, would you see then some very formal  
2 identification of remote tourism lakes and beyond that  
3 not the possibility of a large extension of that  
4 industry but, in fact, protect a certain number and  
5 beyond that there is no dispute about each and every  
6 lake thereafter, that in fact opportunities are open to  
7 public access but you have already identified an  
8 inventory of remote tourism lakes that will be for that  
9 purpose?

10 MR. ALEXANDER: There is no problem with  
11 doing that as long as you're not -- in my opinion, as  
12 long as you're not creating an exclusivity. That is  
13 the only person that can come in.

14 I mean, if somebody wants to walk 10  
15 miles through the bush to go fishing, I think he should  
16 be able to do that if that's what he wants, I mean if he  
17 wants to get in there that bad.

18 I don't know if you can curtail the  
19 number of facilities that are out there. In my  
20 opinion, there are tremendous opportunities for  
21 expansion in the remote tourism industry, there is  
22 thousands of lakes north of where I live that very  
23 seldom see a fishing rod, very seldom see anybody.  
24 Maybe thousands might be exaggerating, there's  
25 hundreds.

1 MADAM CHAIR: The evidence we've heard  
2 from NOTO members over the years at our satellite  
3 hearings suggests that the number of remote tourism  
4 lakes are shrinking, that in fact it's difficult for  
5 them to move and find new places to open remote  
6 operations.

7 MR. ALEXANDER: Well, I suppose they're  
8 shrinking. You can start looking north of 50 there's  
9 lots of them, but then you get into all other kinds of  
10 other problems in regard to native concerns, but mainly  
11 I'm talking north of 50, or just on the low side of 50.

12 MADAM CHAIR: Okay, thank you.

13 MR. O'LEARY: Q. Mr. Alexander, turning  
14 to Question 37 of your witness statement at page 21,  
15 you indicate that:

16 "The source of public apprehension is the  
17 unique position of the forest industry in  
18 the preparation of timber management  
19 plans."

20 Can you provide some examples to the  
21 Board of how -- of this and how it affects public  
22 trust?

23 MR. ALEXANDER: A. Well, to me it's very  
24 obvious. If a company forester draws up a timber  
25 management plan, he's employed by the timber industry,

1 that's his job, to supply that predictable continuous  
2 amount of wood to the mill. So he draws up the plan  
3 with that in mind, so obviously he's going to be biased  
4 towards the production of wood fiber, and he wants to,  
5 I guess, keep his job - that might be a little strong -  
6 but if he wants to advance within industry, he's  
7 certainly going to have to do a good job of drawing up  
8 his plans and make wood available to the mill at the  
9 lowest cost possible.

10 So obviously he's biased that way, and  
11 this creates a lack of trust with the public because  
12 he's the only user out there, stakeholder group out  
13 there that's involved in the drawing up of that timber  
14 plan.

15 Q. All right. On the next page in  
16 response to Question No. 38, and the question was:

17 "How do you see this concern being  
18 resolved?"

19 You indicate at Roman numeral (ii) that  
20 one way would be to have a presentation of a full range  
21 of alternate timber management systems for the entire  
22 FMU for each planning horizon.

23 What I would like to know is how you  
24 feel -- your view as to why this would help deal with  
25 the special position that the forest industry has in



1 the planning process?

2 A. Well, if I can speak on the access  
3 road part of it to start with, I think it's a preferred  
4 option for an access road, it's generally presented and  
5 there's all kind of data that is gathered and collected  
6 to show that that should be the option, and that  
7 doesn't give the public the opportunity for  
8 alternatives because they can't make sound judgment  
9 because they don't have the same information for one  
10 option as they have for another option.

11 And what the public needs to be able to  
12 see out there is, there should be somewhere in there  
13 that says, if we build the road here and cut in this  
14 manner we are going to create "x" number of moose or we  
15 are going to supply habitat for "x" number of moose,  
16 and if we do it this way we are going to supply habitat  
17 for "y" number of moose.

18 I mean, you have got to give the public  
19 something that they feel they can make a sound decision  
20 on and you have got to show them alternatives and they  
21 have to be across the whole horizon of the forest  
22 planning.

23 Q. At the same question, Mr. Alexander,  
24 you indicate that another possible means of addressing  
25 the concern you have over the special position of the

1 forest industry in timber management planning is Roman  
2 numeral (iii) and that is that there be sufficiently  
3 detailed information.

4 Can you advise me as to what your view as  
5 to why that is something that's important?

6 A. Well, you have to have - I think I  
7 kind of touched on it just a minute ago - but you have  
8 to have sufficient information out there that the  
9 public can make that decision based upon -- looking at  
10 all the different alternatives.

11 And I guess what I'm trying to say is  
12 that you must give them the options with the same  
13 effort that's been put into explaining all the various  
14 things that will happen within options so that they can  
15 make a reasonable decision with the same amount of  
16 information.

17 Q. Do you have any examples of that?

18 A. Do you mean examples of sufficient  
19 information?

20 Q. No, the impacts -- the detailed  
21 information in respect of the impact on a particular  
22 wildlife habitat.

23 A. Well, they don't show the impacts on  
24 wildlife habitat. They will tell you what the impacts  
25 are going to be on supplying wood fiber, they can tell

1 you what it's going to cost them in dollars, but they  
2 don't show you what the impacts is going to be on moose  
3 habitat or fisheries habitat.

4 The district land use guidelines, they  
5 set targets for how many moose we are going to produce  
6 out of this given area, or how many fish we are going  
7 to produce out of this given area but, there is no  
8 where in the timber management plan that says, in order  
9 to reach the targets that's been set in the district  
10 land use guidelines we are going to cut this way.

11 Q. Point 4 to Question 38 you state  
12 that:

13 "Easy access to information so that all  
14 members of the public can participate if  
15 they so desire." is something you  
16 consider important.

17 Can you expand on that and how you feel,  
18 again, that would deal to some extent with the special  
19 position you believe the forest industry is in in  
20 relation to timber management planning?

21 A. Well, they're in a special position  
22 because naturally it's in their interest to gather all  
23 this information that's going to support their cause  
24 and they spend a great deal of time, effort and money  
25 to do that. That.

1 Same information and that same time,  
2 effort and money is not available to the public, so if  
3 the industry or the Ministry of Natural Resources had  
4 to supply all that information, it all had to be there  
5 for everybody to look at. Like, I can't -- as a member  
6 of the public I can't gather that information, somebody  
7 has to gather it for me.

8 MR. MARTEL: But is it not available to  
9 you in the documentation that's supplied with a timber  
10 management plan, either in the plan itself or in the  
11 supplementary information.

12 MR. ALEXANDER: As to the information for  
13 all the other options?

14 MR. MARTEL: Yes.

15 MR. ALEXANDER: No.

16 MR. MARTEL: The other options are left  
17 out. You're saying they favour -- are you saying they  
18 favour and produce all the information for the favored  
19 option, but with respect to the other options, it is  
20 much more scarce?

21 MR. ALEXANDER: Yes.

22 MS. DUBE-VEILLEUX: This is another --

23 MR. O'LEARY: Q. Go ahead, please.

24 MS. DUBE-VEILLEUX: A. I think this is  
25 another area too where we're talking about, first of



1 all, providing alternate systems and also detailed  
2 information on the benefits of -- and costs and  
3 benefits of each alternative, and putting that in some  
4 way that the public can easily gain access to it and  
5 understand it.

6 And basically those are requirements of  
7 making any type of decision, whether it's a decision in  
8 a family or whether it's a decision in an organization  
9 or whether it's a decision on managing the forest.

10 Again, alternatives -- or the preferred  
11 alternative in any timber management plan is always the  
12 one that shows the most background information. The  
13 other alternatives receive less attention.

14 It may say we have -- according to stream  
15 crossing guidelines this was not chosen, or different  
16 small things like that, a reference to one of the  
17 guidelines is often sufficient to have made a decision.

18 And certainly the tourism guidelines is  
19 another one that we feel that -- I guess, initially  
20 that the guidelines are not nearly complete enough to  
21 be useful as a decision-making tool in remote areas.  
22 They do have some effect on roadways, but we need a  
23 part too to that.

24 But other than that, where again when we  
25 come to the tourism industry, any one of those

1 alternative or alternate timber management systems, and  
2 I would include in that the road location and  
3 construction, type of road, and widths, and I would  
4 include the type of harvest, I would include the type  
5 of regeneration, I would include the type of tending,  
6 that is working on the system through the period of the  
7 harvest and renewal and the whole works has a full  
8 effect and a very real effect on the tourism industry  
9 that is right beside it.

10 And how the tourism industry is affected  
11 by each alternate is not addressed, nor are the  
12 economics addressed, short term and long term over the  
13 period of the forest rotation, because that is how long  
14 those effects are going to last. And that is not  
15 explored in any way in the timber management plan as it  
16 exists today.

17 MADAM CHAIR: Excuse me, with your work  
18 on the Nagagami Timber Management Plan--

19 MS. DUBE-VEILLEUX: Yes.

20 MADAM CHAIR: I believe you told us  
21 yesterday it would go into effect, parts of it, in  
22 April of this year, with some facilitation perhaps,  
23 further implementation next January.

24 Now, in that plan, and you were involved  
25 although not officially a member of the planning team,

1 you were an ex officio member for the local advisory  
2 group who watched all of this take place, were you  
3 happy with the alternatives as they were described in  
4 that timber management plan?

5 MS. DUBE-VEILLEUX: No, Madam Chair,  
6 that's why we have a deferral, because the alternatives  
7 were not carried through, because we didn't -- the  
8 information was not down there for us to make the  
9 comparisons and cost analysis, long-term economic  
10 impact. All that information was not explored and  
11 that's why we now have a deferral on that.

12 We just didn't stop this time until we  
13 got some consideration, and we certainly appreciate the  
14 fact that this is being done and that the Ministry is  
15 helping to facilitate this whole process, but I think  
16 it is -- really the statement here that we are trying  
17 to make is that there is another industry there that is  
18 highly impacted by the forest industry, the impacts are  
19 long term, they won't go away tomorrow, and that can  
20 be -- that long-term benefit, both social and economic,  
21 is highly impacted by that one-shot of taking a stand  
22 of trees.

23 And that was not addressed in the plan,  
24 and this is what we are going to try to address, to  
25 come up with some measures through this deferral

1 process.

2 MADAM CHAIR: Okay. Now, could you  
3 explain succinctly for the Board what the dispute is.  
4 Is the dispute that you believe the preferred  
5 alternative, and I don't know if we're talking about  
6 road access or the --

7 MS. DUBE-VEILLEUX: And the harvest.

8 MADAM CHAIR: And the harvest. That both  
9 of these, you believe that the preferred alternative,  
10 or whatever MNR wants to do in the plan is going to  
11 endanger in some way a remote tourism operation, and  
12 you disagree with the preferred alternative;  
13 essentially you will never be happy with that preferred  
14 alternative and, therefore, you want better exploration  
15 of the alternatives.

16 MS. DUBE-VEILLEUX: That's correct.

17 MADAM CHAIR: In the hope that you can  
18 negotiate with the planning team members that their  
19 minds will be changed to accept an alternative that you  
20 can live with?

21 MS. DUBE-VEILLEUX: Certainly a lot of  
22 the elements of what you have just outlined.

23 MADAM CHAIR: But you're in the position  
24 that you don't know whether your favored alternative is  
25 more expensive, or better or worse in any way than the



1 preferred alternative?

2 MS. DUBE-VEILLEUX: That's correct. We  
3 think that we need to do some analysis on exactly those  
4 types of things.

5 Certainly from the economic standpoint,  
6 from the sustainability standpoint, from a recognition  
7 of existing values, and as another component of all  
8 this and being part of the negotiating process will be  
9 the local communities. So that we're also looking at  
10 angling and hunting opportunities for the communities  
11 and the benefit, social and economic, to the  
12 communities that are involved.

13 So it's more than -- it's more than just  
14 a tourism concern, although that certainly  
15 superspearheads the whole thing.

16 And I should also, maybe just to correct  
17 the record, this is a company produced plan and you  
18 have made reference to the MNR's preferred alternative,  
19 but it is a company produced plan, so that the  
20 company --

21 MADAM CHAIR: Is this a company  
22 management unit or an FMA?

23 MS. DUBE-VEILLEUX: It's an FMA. It's  
24 also - I'm not sure whether you know - we're talking  
25 about access to information and detailed information

1 and value of the information that we have upon which  
2 we're basing important major decisions.

3 It's common in northern Ontario right  
4 now, and it's common knowledge and a common problem  
5 with writing a plan, that the FRI material is out of  
6 date, sorrily out of date and the system hasn't caught  
7 up to that yet and not everyone is on GIS and it's only  
8 coming. So this is another problem associated with it.

9 We're trying to make decisions based on  
10 really old information and maybe not enough updating.  
11 So that becomes a problem in the whole process here of  
12 trying to solve what's going on on the Nagagami limit.  
13 We need more realistic inventory of the forest and the  
14 actual state of the forest.

15 There's also the limitations of that  
16 forest. Based on that land base right there, how  
17 sustainable is the wood industry at all, and that is a  
18 strong question and it has important implications for  
19 the community.

20 So we just feel that combined all those  
21 things, because this really is our backyard here if you  
22 combine all the areas, the timber management plan alone  
23 doesn't address it and somehow we're trying to find a  
24 way to make it do that so that the plan fits into the  
25 master plan for the unit.

1 MADAM CHAIR: And what is the master plan  
2 for the unit?

3 MS. DUBE-VEILLEUX: Survival.

4 MADAM CHAIR: Please go ahead, Mr.  
5 O'Leary.

6 MR. O'LEARY: Q. Mr. Alexander, turning  
7 on to --

8 MADAM CHAIR: Excuse me, Mr. O'Leary.  
9 Mr. Martel reminds me that we take a morning break. We  
10 usually take it about 20 after the hour. Is this a  
11 convenient place for you to break?

12 MR. O'LEARY: It is. You know, actually  
13 I may have just one more quick question and then we can  
14 move on to another heading under the --

15 MADAM CHAIR: Why don't you finish that.

16 MR. O'LEARY: Thank you.

17 Q. Mr. Alexander, at Question 39 on page  
18 22 of your witness statement you state that:

19 "In my dealings with the Ministry staff  
20 there has been considerable variation in  
21 this respect."

22 And you're referring to the quality of  
23 the management planning team, timber management  
24 planning team. Can you provide some examples of this?

25 MR. ALEXANDER: A. Well, first I think

1 you have to understand I'm not criticizing the  
2 knowledge of individual MNR employees, but what I'm  
3 saying is that the variation in some districts, fish  
4 and wildlife people are intensively involved in timber  
5 management planning, and in that case you will find  
6 that there's more concern shown towards fish and  
7 wildlife.

8 In other districts fish and wildlife  
9 staff are very little involved in timber planning.  
10 Foresters come and foresters go, and biologists come  
11 and biologists go, and generally a company forester is  
12 there for life.

13 And the MNR forester or the MNR biologist  
14 keep changing, so there's a staff turnover and you  
15 don't get I think the continuity throughout the  
16 district from district to the district that's required.

17 And an example of staff turnover, as I  
18 indicated in my CV, I'm a member of the Lac Seul  
19 advisory committee and we've been sitting for a year  
20 and a half and in that year and a half we've gone  
21 through three biologists, and I don't know whether they  
22 hate us all or what, but you know it's just this  
23 constant turnover.

24 Sure they're biologists, they're trained,  
25 they're experts, they're very good in what they do, but



1 everybody has to be upgraded when you come into a new  
2 situation whether you're trained or not, and that's a  
3 problem.

4 MR. O'LEARY: That would be an  
5 appropriate time to break, Madam Chair.

6 MADAM CHAIR: All right. We will be back  
7 in 20 minutes. Thank you.

8 ---Recess taken at 10:30 a.m.

9 ---On resuming at 10:55 a.m.

10 MADAM CHAIR: Please be seated.

11 MR. O'LEARY: Thank you, Madam Chair.

12 I've taken the liberty of placing in  
13 front of you several copies of Exhibit 2025 which are  
14 copies of the slides that were used yesterday by Dr.  
15 Neuman in relation to the 1989 surveys, and I believe  
16 he's got copies of the other survey coming as well.

17 MADAM CHAIR: Thank you. I don't -- oh,  
18 it looked like NOTO. Thank you, Mr. Hanna.

19 All right. And we gave this Exhibit  
20 number...?

21 MR. O'LEARY: 2025.

22 MADAM CHAIR: Thank you very much.

23 MR. O'LEARY: Q. Ms. Dube-Veilleux,  
24 turning to page 24 of the witness statement, Question  
25 42, you state at Roman numeral (ii) that for meaningful

1 discussion to take place specific proposals must be  
2 provided to focus the discussion on the advantages and  
3 disadvantages of alternate courses of action.

4 Can you elaborate on what you mean by  
5 specific proposals?

6 MS. DUBE-VEILLEUX: A. Specific  
7 proposals here means proposals that are complete. I  
8 think really it's specific and complete, that all the  
9 information has been put together and, therefore, it  
10 makes it a specific proposal.

11 Q. Okay. And if I take you to No. 3 of  
12 that same question you again state that:

13 "One of the prerequisites for meaningful  
14 public discussion, that the discussion  
15 must be conducted so that the time  
16 available is not an overriding  
17 constraint."

18 The question for you is whether or not  
19 you have any comments about the public open house  
20 procedure that the MNR typically uses presently?

21 A. Yes. I think part of the problem  
22 with the open house system is that while the time  
23 allocated for the open house is usually quite generous,  
24 and it might go from 9:00 in the morning until 9:00 or  
25 10:00 at night. In the ones that I've been involved in

1 there's a lot of time there, but it's not time, it's  
2 not really quality time, there is no particular section  
3 in there where you can bring all the different  
4 interests together so that they're getting the same  
5 information from the experts, from the planning team.

6 For example, the anglers in the area will  
7 want to know about the fisheries, how the plan is  
8 affecting the fishery, and so do the operators want to  
9 know, and so do many other members of the public, but  
10 given the nature of the open house, the angler may go  
11 through at nine o'clock in the morning and the tourist  
12 operator shows up at two in the afternoon and other  
13 people in the public are coming along at various  
14 different times of the day, and the opportunity to  
15 share information just isn't available.

16 Also, sometimes you would like to speak  
17 to the biologist and the forester together to talk  
18 about how they feel about impacts on a particular  
19 issue, and it's very difficult to get -- it just isn't  
20 conducive to a real sharing of information, it's more:  
21 The information is there, go and take what you can.

22 Q. All right, thank you. Turning now to  
23 the next page of the witness statement page 25,  
24 Question 43, you indicate that, in your experience the  
25 information presented to the public does not deal with

1 the implications for resource benefits associated with  
2 the timber management plan throughout the forest  
3 management unit or Ministry district.

4 Can you indicate to the Board the type of  
5 information that you would like to see in the timber  
6 management plan dealing with, for one example, tourism  
7 impacts?

8 A. I'm sorry, could you repeat...

9 Q. Sure. I'm looking at page 25,  
10 Question 43, and if you need a moment to read it again,  
11 please do, but my question is: Can you indicate the  
12 type of information that you would like to see in the  
13 timber management plan dealing with, for one example,  
14 the tourism impact?

15 A. Certainly. The socio-economic  
16 impacts are of prime importance. The fish and wildlife  
17 information for each alternative is extremely important  
18 and how that impacts on the tourism industry, also the  
19 information on the tourism industry itself, and that --  
20 the recognition that it's there is not -- while it may  
21 be mentioned, the real importance of it is not shown  
22 necessarily. Yeah.

23 Q. Okay. Now, you list three points in  
24 Question 43, Roman numerals (i) through (iii) suggest  
25 much effort and discussion is wasted arguing these



1 points. The points are, what the implications of  
2 planned activities might be; (ii) whether the impacts  
3 can be predicted; and, (iii) whether there is adequate  
4 information to make any conclusions.

5 Can you tell us what leads you to that  
6 conclusion, and are you suggesting that these three  
7 points you've referred to are not important?

8 A. No, exactly the opposite. There is  
9 no intent her to say that time and effort is wasted in  
10 discussing these points, they are of prime importance  
11 in the planning procedure, and basically I feel that  
12 this information should already be available as part of  
13 the alternates that are being presented, that should  
14 have been done before the plan comes to the public for  
15 that information, and for any of the information that  
16 they will be required to see, in order to have  
17 informed -- to be able to make informed opinions and  
18 choices.

19 Q. All right. Do you have any specific  
20 views or ideas as to how these three concerns or issues  
21 would be resolved or dealt with, still looking at again  
22 your Question 43--

23 A. Yes.

24 Q. --and your response in the three --  
25 in the Roman numerals.

1 A. As to how they can be presented, I'm  
2 sorry.

3 Q. My question is: Do you have -- how  
4 would you propose that these three issues be dealt with  
5 or resolved?

6 Q. You've already indicated that you  
7 would like to see them in the fore, earlier on in the  
8 process?

9 A. That's right.

10 Q. Is there anything else you can add to  
11 that?

12 A. Well, in order to make a choice, an  
13 informed choice, given any set of alternatives, the  
14 implications of those planned activities have to be  
15 completely and thoroughly analysed.

16 I suppose in going through any timber  
17 management plan, coming from the tourism industry, I  
18 expect to see right up front in the plan that with  
19 every respect for the extraction of timber and the  
20 timber industry itself and everything that's implied  
21 there, I expect to see the same type of information or  
22 the general, I don't mean we have to go into detail,  
23 but certainly with studies and with research, all these  
24 things can be made available to the plan author or to  
25 the planning team and can be provided, a lot of it, on

1 site and just through a little bit of work in the area.

2 Q. And when you say provided, to whom do  
3 you mean?

4 A. It means to be provided, first of  
5 all, to the planning team and they, the team, can  
6 consult the experts and go and get the information,  
7 then it becomes part of the information that is  
8 presented as alternatives.

9 Right now we're basing a lot of this  
10 information -- or we seem to be taking a lot of this  
11 information that's necessary from the guidelines that  
12 are used by the Ministry or by the planning team, and  
13 the guidelines are just that, they're guidelines, they  
14 don't -- they're not specific to the area, they are  
15 largely a matter of personal judgment on the part of  
16 different members of the planning team as to how they  
17 will be applied or indeed whether it is necessary to  
18 apply them, and I think we need more concrete  
19 information to make it specific to this area and to  
20 each alternative.

21 Q. All right. I also note in your  
22 response to Question No. 43 you state, and this is in  
23 the second paragraph:

24 "As a result, broad generalized  
25 statements without substantive basis are

1                   made regarding impacts on various  
2                   resources and users."

3                   My question to you is: Do you have any  
4                   examples from any specific timber management plans of  
5                   what you were describing as broad generalized  
6                   statements without substantive basis?

7                   A. I believe -- I was given the  
8                   opportunity to look at the Red Lake plan which was made  
9                   available to the Coalition by request some time ago as  
10                  an example of a plan that everyone could feel proud of,  
11                  that was a plan that was in effect now and has been one  
12                  of the more recent plans that was approved and put into  
13                  operation.

14                  Q. Can I just clarify. I understand  
15                  there are several -- or there's been an update to the  
16                  Red Lake Timber Management Plan. Do you know which one  
17                  you were looking at? Is the recent one --

18                  A. It's the recent one. I believe it --  
19                  it's the one that goes to -- it's 1991 to 1996 out of  
20                  the 2011.

21                  MR. O'LEARY: I don't think Mr. Freidin  
22                  would have any difficulty admitting that there was a  
23                  request made by the Coalition for a copy of an update  
24                  timber management plan. The one that was provided to  
25                  the Coalition by the MNR shortly following -- shortly



1 after a letter from the Coalition dated October 17th,  
2 1991 is the Red Lake Timber Management Plan.

3 That's the one I'm referring to.

4 MR. FREIDIN: Yes, that's correct.

5 MR. O'LEARY: I just wanted to identify  
6 that.

7 MADAM CHAIR: Excuse me. Could Mr.  
8 Freidin remind the Board what it has seen out of this  
9 updated information.

10 MR. FREIDIN: Nothing. This is actually  
11 the timber management plan for the period indicated.  
12 The timber management plan for Red Lake which the Board  
13 is familiar with is the one that precedes this for 1986  
14 to 1991, the one prepared by Mr. Multimaki and the  
15 planning team.

16 MADAM CHAIR: That's right. And so we  
17 don't have that as evidence before us, the 91-96 plan?

18 MR. FREIDIN: No, not yet. I understand  
19 that it might very well be used through the Coalition's  
20 case, I'm not sure what their intentions are about  
21 filing all of it or part of it.

22 MR. O'LEARY: At this point I was asking  
23 the witness simply to give us a view as to -- and  
24 thoughts as to what she found in it.

25 It had not been our intention to file it

1 as an exhibit, unless of course the Board so directs,  
2 and that is because of the voluminous size of it.  
3 Perhaps I might...

4 MADAM CHAIR: That is probably only a  
5 fraction of it, Mr. O'Leary.

6 MR. O'LEARY: It is.

7 MADAM CHAIR: Yes.

8 MR. O'LEARY: It's not my intention to go  
9 through it piece meal.

10 MADAM CHAIR: Why don't you go ahead with  
11 the question and if we think we're getting into it in a  
12 way that the Board is really going to have to take a  
13 look at it itself, then that's what we'll do, but if  
14 it's to make certain points that Ms. Dube-Veilleux  
15 wants to make -- why don't we just go ahead and see  
16 what happens.

17 MR. MARTEL: I really want to read it  
18 tonight.

19 MR. O'LEARY: I can have it delivered to  
20 your door.

21 MR. O'LEARY: Q. I'll ask the question  
22 again, Ms. Dube-Veilleux. What I referred you to is  
23 again your response to Question 43 where you say:"

24 "As a result, broad generalized  
25 statements without substantive basis

1                   made regarding impacts on various  
2                   resources and users."

3                   And I'm simply wondering if you can give  
4                   us an example of a timber management plan, and you've  
5                   now referred us to the Red Lake Timber Management Plan,  
6                   and I ask you to continue with the response.

7                   A. Yes. Basically I also didn't have  
8                   time to read it over the weekend, but what I was  
9                   looking specifically for in opening up this plan right  
10                  off the bat was looking to see how the tourism and  
11                  recreation interests were being identified and dealt  
12                  with within this plan, seeing as it is a fairly  
13                  contemporary plan and hopefully it will address some of  
14                  those issues.

15                 Basically if I look at Section 5 there is  
16                 a recognition there that there were four sets of  
17                 guidelines that were looked at in dealing with the  
18                 recreation opportunities. First of all, the Timber  
19                 Management Guidelines for the Protection of Tourism  
20                 Values, the Guidelines for the Protection of Fish  
21                 Habitat, the Guidelines for the Provision of Moose  
22                 Habitat, and the Guidelines for the Provision of  
23                 Woodland Caribou Habitat.

24                 Those are the four that were presented as  
25                 being addressed or used in determining the recreation

1 opportunities within that plan.

2 There was a statement saying that forest  
3 access roads create access to local fishing and hunting  
4 opportunities while having regard for tourism and other  
5 sensitive values. And I thought: Well, that is a good  
6 broad general statement of intent and I took it as a  
7 statement of intent, and from there went looking for  
8 other instance where I could find that this was indeed  
9 going to be addressed within the plan.

10 I found while -- and I certainly have no  
11 intention of going through everything, I felt that it  
12 was important to be able to trace through this, through  
13 the development of the plan and actually found very  
14 little that showed that the managing of the timber was  
15 going to be planned in order to make sure that these  
16 things happened.

17 And I guess basically that is the -- that  
18 is what I was looking for, and this is not a reflection  
19 on the rest of the plan, which I obviously had not  
20 read.

21 MADAM CHAIR: Excuse me. When you say  
22 that these things will happen, do you mean the  
23 implementation of the four guidelines will take place?

24 MS. DUBE-VEILLEUX: No. Basically I was  
25 referring more to the statement.' The plan indicates or



1 the section indicates that in order to recognize  
2 recreation opportunities these four guidelines will be  
3 used, which basically are the guidelines for habitat  
4 and the tourism guidelines.

5 Now, none of those guidelines gives a  
6 prescription on how to develop these opportunities,  
7 obviously that's not what they were intended to do. I  
8 guess that the statement that concerned me more was  
9 that forest access roads create, I believe -- sorry,  
10 create access to local fishing and hunting  
11 opportunities while having regard for tourism and other  
12 sensitive values.

13 I would have preferred -- I guess my  
14 point is, I would have preferred to see a statement  
15 that said, the planning of forest access roads will  
16 take into the consideration the development of fishing  
17 and hunting opportunities and the protection of remote  
18 tourism values, or something to that effect.

19 So that as those roads are being planned  
20 they are being planned -- because we all know the roads  
21 will be used or will have impacts on everything else, I  
22 was looking more for a statement to say that we  
23 recognize that in this process, while we have an  
24 opportunity to change the environment, we will do it  
25 for the good of all values, not just the timber values.

1 And that is really the only comment.

2 MR. MARTEL: But isn't that the same -- I  
3 go back to your statement that says, broad generalized  
4 statements without substantive basis are made.

5 Well, what you in fact have just said to  
6 us is exactly that, a broad statement about the intent  
7 to develop fishing opportunities or recreational  
8 opportunities. It's more specific -- I think what  
9 you're saying is it highlights the fact that they're  
10 going to look at these much more carefully, maybe then  
11 it had been seen in other plans, but it is still a  
12 pretty broad statement.

13 You're saying one thing here, it's got to  
14 be more specific.

15 MS. DUBE-VEILLEUX: Right.

16 MR. MARTEL: And it can't be generalized  
17 and yet that, in itself, is as much a generalized  
18 statement as anything else, nothing specific about  
19 providing recreational opportunities except it says  
20 you're going to provide them, but that's not specific  
21 either, it's still a generalized statement.

22 MS. DUBE-VEILLEUX: It is, but at least  
23 the initial statement that would say --

24 MR. MARTEL: It draws attention to what  
25 your interests are, it's still broad. The only point

1 I'm making, it's as much a broad statement as the  
2 statements that MNR are using in the plan or whoever is  
3 involved, yeah, that's a company --

4 MADAM CHAIR: It's a Crown management.

5 MR. MARTEL: That's a Crown management  
6 unit. All I'm saying is, it too is a broad statement,  
7 but what you want included -- you see, what you're  
8 saying here you want specific statements, not just  
9 generalized.

10 MS. DUBE-VEILLEUX: Right.

11 MR. MARTEL: But that's a generalized  
12 statement as well, that's the only point I'm making.  
13 It's no more specific than the statements that are --  
14 except it includes, it's goes beyond timber to take  
15 other resource considerations into consideration, if I  
16 can use...

17 MS. DUBE-VEILLEUX: And it becomes a  
18 statement of intent.

19 MR. MARTEL: Oh sure. I don't dispute  
20 that either, but it's just as broad as the others are.

21 MS. DUBE-VEILLEUX: But having made that  
22 statement, I would suggest then that those other other  
23 things would have to be investigated a little bit more  
24 and that more cooperation would be developed throughout  
25 the community to do that planning exercise with all the

1 users involved, and basically it's a statement of  
2 intent because of the impacts on the forest and the  
3 other users.

4 MR. MARTEL: Can we say that you want a  
5 statement of the objectives more specific to other  
6 resources.

7 MS. DUBE-VEILLEUX: I could say that as  
8 well because the first place I went in here was goals  
9 and objectives looking to see if that intent was there,  
10 and I didn't find it, and that's why I went in further  
11 and found it under recreation opportunities. I would  
12 have expected to find it under the goal statement or  
13 under problems and issues.

14 MR. O'LEARY: Q. Ms. Dube-Veilleux, may  
15 I ask you in respect of that quote that I believe  
16 you've drawn out of the Red Lake Timber Management Plan  
17 about non-timber resources, and we're talking about  
18 what you have described as a broad generalized  
19 statement which you've read to us, did you find any  
20 analysis or substantiation in respect of the non-timber  
21 resources?

22 MS. DUBE-VEILLEUX: A. No, I did not,  
23 and that is why I felt if there had been either in the  
24 goals and objectives a statement of intent or under  
25 problems and issues a statement that this is an issue



1 and it always is an issue on any unit that these other  
2 things have to be considered because they will be  
3 affected by the plan, I didn't see it in either of  
4 those and, therefore, if it's not presented obviously  
5 it hasn't been explored and recognized we're not going  
6 to be able to get the full quality and the quantity in  
7 that plan that we need.

8 MADAM CHAIR: Excuse me, one question.  
9 This is not a criticism of what you're saying, but  
10 you're very quick to dismiss any meaning or any  
11 significance to the tourism, fish, moose guidelines and  
12 the draft Woodland Caribou Guidelines.

13 We have spent a lot of time at this  
14 hearing talking about what is in the guidelines and  
15 what they're to mean and what they're to protect and  
16 what their significance should be.

17 What do you believe is important about  
18 the guidelines? Do you think that they give any  
19 assurance to public concerns about habitat protection  
20 and the concerns of your industry, or do you think that  
21 they just offer no protection at all to non-timber  
22 values?

23 MS. DUBE-VEILLEUX: A. I would certainly  
24 not want to dismiss them as being useless documents,  
25 how they are used, however, becomes of prime importance

1 particularly and I certainly can't speak to caribou,  
2 but in the area that I work in, the habitat protection  
3 of moose habitat -- I'm sorry, the provision of moose  
4 habitat is of prime importance and the protection of  
5 the tourism values is of prime importance.

6 I'm not sure that we even always have  
7 enough information in order to be able to apply some of  
8 these guidelines. I'm not sure that we're taking all  
9 the information and putting it together and then  
10 deciding how to make those prescriptions so they can be  
11 most effective to provide moose habitat.

12 MADAM CHAIR: Well, what you're saying is  
13 you don't care what is said in the plan about the  
14 implementation of the guidelines, what you want to see  
15 in the plan is a separate statement saying, we  
16 recognize the value of non-timber resources. It's not  
17 sufficient to you that these guidelines exist and  
18 presumably go some way towards doing that?

19 MS. DUBE-VEILLEUX: I'm not sure...

20 MADAM CHAIR: And I don't mean to change  
21 your mind about what you're saying. What you're saying  
22 is you don't really care what it says in the guideline  
23 document themselves, what you want to see in each  
24 timber management plan is a recognition in the first  
25 line that non-timber values are equally important to

1 timber, and then you want to see a separate discussion  
2 of tourism values, for example, outside of how the  
3 tourism guidelines are implemented?

4 MS. DUBE-VEILLEUX: If I understand you  
5 correctly, yes, I would like to see the statement of  
6 intent first that non-timber values will be addressed  
7 with equal -- with equal importance as far as the  
8 timber values, then the guidelines may be used to help  
9 bring about that intent.

10 But I think there is a difference between  
11 saying we're going -- we have these guidelines here and  
12 then just a statement saying -- well, basically it's  
13 just a statement saying that they exist. I would like  
14 to know how they will be used to attain -- to achieve a  
15 certain goal.

16 MADAM CHAIR: And you don't see -- you  
17 haven't had a chance in this plan to see how they were  
18 implemented, the tourism guidelines?

19 MS. DUBE-VEILLEUX: No, I haven't.

20 MR. MARTEL: Is your concern the tourism  
21 guidelines themselves, because earlier this morning I  
22 heard you say - I think I did at least - that a second  
23 phase of the tourism guidelines is necessary.

24 Is NOTO saying that they maybe didn't go  
25 far enough in the first set of guidelines, that it

1 didn't -- on second thought, on hindsight, which is  
2 always easier to do of course, but on hindsight the  
3 tourism guidelines don't protect the tourism industry  
4 adequately.

5 MS. DUBE-VEILLEUX: First of all, to  
6 clarify, I'm speaking as myself, I'm not speaking for  
7 NOTO.

8 MR. MARTEL: Right. But I think I heard  
9 you make that statement, we need a Phase 2.

10 MS. DUBE-VEILLEUX: Yes.

11 MR. MARTEL: What would you include in  
12 Phase 2 then?

13 MS. DUBE VEILLEUX: I would include a lot  
14 of the things that we're starting to do now, working on  
15 realistic suggestions on how to combine all the values  
16 and to optimize the resources that are out there.

17 I believe in my opinion that if you take  
18 those tourism guidelines and try to apply them in a  
19 remote situation it becomes very, very difficult and  
20 often not effective.

21 Now, there are things in there that I  
22 would say are very effective along roadways and in some  
23 situations, but certainly not in the more contentious  
24 areas where we also have other factors coming into play  
25 and not just the aesthetic values.



1 I believe those guidelines basically  
2 address aesthetic values and that is not all there is  
3 out there.

4 MR. ALEXANDER: May I make a comment on  
5 the moose habitat guidelines. What I have found is in  
6 a timber management plan they will tell you that we are  
7 using the moose habitat guidelines in the development  
8 of the plan.

9 In my experience, yes they are, and  
10 there's a lot of great statements in the moose habitat  
11 guidelines, and you will go out and the optimum cut  
12 might be the 250 or 230 or whatever it says, exactly  
13 what is in there, but in reality what you find when you  
14 go out there that often the areas that are left are  
15 areas of unmerchantable timber or areas of difficult  
16 terrain.

17 They're left and they can say, yes, we're  
18 following the moose habitat guidelines because their  
19 cuts are only such and such a size and we've got a  
20 certain amount of standing timber, but the standing  
21 timber they've left is, in some cases, of little value  
22 to moose and, in most cases, to no value to the timber  
23 industry and that is why it was left.

24 MR. MARTEL: We visited recently,  
25 everyone was invited to join us when we visited the Kap

1 area and the Armstrong area and we saw the application,  
2 we spent two full days flying around and blow by blow,  
3 and everybody had their opportunity to tell us where  
4 they would like us to visit and we would have gone  
5 there, and we got a blow by blow description of why  
6 trees were left in certain areas along streams, wider  
7 buffers along streams, because -- and what we saw is at  
8 variance to some degree with what you just told me,  
9 and I'm not saying you're doing that deliberately.

10 See, we've tried to find the areas that  
11 were bothering people, and we asked the parties to tell  
12 us where to go and visit, and in our visits with  
13 everyone having input we haven't been shown a lot of  
14 that.

15 I mean, they could explain with sense, at  
16 least to me, why they cut this area maybe 260 hectares,  
17 why they cut that one 130 hectares, why this one in a  
18 certain area exceeded with permission the 260, and  
19 maybe it's because John McNicol had influence in  
20 certain areas, but I tell you, what we get is sometimes  
21 different from what we have seen.

22 And we have asked the parties for input  
23 to where we could go and see, and we're talking - I  
24 must indicate, my colleague and I insist that we see  
25 stuff after 1988, okay, we didn't want to go back and

1 see things that occurred 20 years ago because I'm sure  
2 there's a consensus that there were serious problems  
3 then - but we asked for stuff in '88 and the  
4 introduction of those guidelines and it's why I asked  
5 you earlier, I mean, what are we talking about in  
6 contemporary time, and I mean contemporary, like today.

7 MR. ALEXANDER: Well, if I can respond to  
8 that and I'm sorry if I missed out on an opportunity to  
9 suggest a place that might be a good place to visit.

10 I in fact did attempt to have a  
11 particular area visited back in the days of the site  
12 visit to Dryden. When I was first made aware that I  
13 would be going on that trip, I immediately contacted  
14 Ministry of Natural Resources and said, you know, this  
15 is where I think we should go, and I would like to go  
16 there, and that was only a couple of weeks. In all  
17 honesty, they only had two weeks at that time and they  
18 said, no, the areas are already picked out and this is  
19 where they were going.

20 And I had some particular concerns about  
21 a particular area, so my request -- and that was for a  
22 site visit in Dryden and that's a different thing than  
23 what you talked about.

24 MR. MARTEL: No, but we made the decision  
25 where we visited, not MNR.

1 MR. ALEXANDER: Well, anyway, whoever  
2 made the decision, I called the MNR, as a matter of  
3 fact it was Mr. Kennedy, and I contacted him and tried  
4 to arrange to go to this place and the answer I got  
5 was, no, the decision had been made as to where we were  
6 going. So we were unable to visit that area.

7 To me there's a great variance the way  
8 timber management plans are done across the province  
9 and the one thing you have to consider that I have  
10 never seen considered - and I certainly haven't read  
11 all the transcripts and all the documentation - but one  
12 thing I never seen is anybody looking at the difference  
13 between a sawmill operation and a pulp and paper  
14 operation.

15 And in my view of what I see going on out  
16 there, there's quite a difference in the way timber is  
17 harvested for sawmill operation, it's strictly sawmill,  
18 and the way timber is harvested for an operation that  
19 is pulp and paper industry. And I think that is  
20 something that perhaps that should be looked at. Now  
21 maybe you have, I don't know.

22 MADAM CHAIR: Well, we certainly have  
23 travelled many miles across the province and we've seen  
24 I think every forest type, we've seen every different  
25 use to which the forest is put, including harvesting



1 for pulp and paper and harvesting for sawmills.

2 We certainly -- I think we have seen just  
3 about every variation one could imagine exists and I  
4 don't think there's a lot to be gained from saying,  
5 this particular area versus this particular area will  
6 show good or bad things about how timber management is  
7 carried out.

8 I think what you're getting at with your  
9 comment with respect to forest left uncut for habitat  
10 is that you see a bias or an arrangement whereby MNR  
11 will readily provide wildlife habitat if that land is  
12 not desirable for timber.

13 Do you know of examples where habitat is  
14 provided in valuable timber land?

15 MR. ALEXANDER: Yes, I have seen examples  
16 of that, but often when -- I shouldn't say often. In  
17 certain cases what I have seen, if you leave habitat -  
18 and it's called a moose corridor in this particular  
19 case - what you need to see is that moose corridor has  
20 to tie into something. To me it's of no value if you  
21 just leave timber for the sake of leaving timber to say  
22 this is going to be moose habitat.

23 I mean, the moose have to be able to get  
24 from point A to point B, they have to get to where they  
25 live, to get to where they feed, and move back and

1       forth and it's the old argument about: Well, do the  
2       moose live there or don't they live there. Well, sure  
3       they live there because I've seen them there.

4                       Well, I'm in the A&P on Friday night at  
5       five or o'clock but I don't live there. And to me  
6       these things have to - you have to show these things  
7       and you have to do these things, you can't just leave  
8       habitat for the sake of leaving habitat, it has to  
9       connected with something, it has to do something.

10                    MADAM CHAIR: Are you aware, Mr.  
11       Alexander of the various work that -- well, we have  
12       some evidence before us with respect to identifying low  
13       moose density areas and high moose density areas.

14                    MR. ALEXANDER: Yes.

15                    MADAM CHAIR: And is that sort of getting  
16       at your concern that wildlife habitat not be the  
17       leftovers from--

18                    MR. ALEXANDER: Yes.

19                    MADAM CHAIR: --other activities?

20                    MR. ALEXANDER: Yes. And I do -- I have  
21       a map that later on I'm going to show the Board and I  
22       will deal with some of the things I just talked about.

23                    MADAM CHAIR: Thank you. And, by the  
24       way, the Board has heard quite a bit of evidence about  
25       the quality of moose corridors and whether they're

1 unconnected things that blow down eventually and are of  
2 no use, or are they connected in some way that allows  
3 the moose to survive and thrive.

4 MR. ALEXANDER: Then I'm not alone.

5 Thank you.

6 MADAM CHAIR: Well, we have heard  
7 evidence on that point.

8 MR. MARTEL: Well, I mean, we went for  
9 that reason, I mean, our last site visit was only in  
10 November, I guess, or the latter part of October and we  
11 went very specifically to look at the application of  
12 the moose guidelines. I mean, that was our main intent  
13 and that's why we asked parties, because we wanted to  
14 see what you people were seeing on the ground, and the  
15 choice was left to the parties.

16 We make the final choice, but the input  
17 we wanted was from the various parties so we could look  
18 at what happened since '88, because there was no sense  
19 dealing with the stuff that was prior to the  
20 application of the moose guidelines, and we wanted to  
21 look at them after to see what they were doing, the  
22 very things you were saying, that is why we went, and  
23 we spent three or four days in that great storm in  
24 Armstrong, but that was the specific reason for going.

25 MR. ALEXANDER: Well, one of the comments

1 that is been made to me, and I guess it goes back to a  
2 question you asked me earlier about changes that have  
3 to be made, I was told -- one time I was explaining  
4 about moose habitat and the fact that I didn't think  
5 the guidelines had been followed and the answer I got  
6 was: Well, these are only guidelines.

7 Now, I understand since then it is now  
8 policy - you can correct me if I'm wrong - but I  
9 believe the Moose Habitat Guidelines are since policy,  
10 but when they weren't policy the question or the answer  
11 that I got was: Well, they are only guidelines and we  
12 can use our own discretion and we can do what we want  
13 and Ms. Dube-Veilleux touched on that fact, and then  
14 you get into the particular opinion of planning teams  
15 of what is going to be done there.

16 MADAM CHAIR: Well, certainly we are  
17 going to be receiving more evidence about that  
18 particular matter in reply evidence and we've had a  
19 great deal of discussion about mandatory requirements  
20 of moose habitat guidelines and exceptions that are  
21 made, so certainly there will be more evidence.

22 Mr. O'Leary?

23 MR. O'LEARY: Ms. Dube-Veilleux --

24 MR. MARTEL: We are slowing you down.

25 MR. O'LEARY: I think the exchange is



1 great. It means that we may go beyond our original  
2 estimate of an hour and a half.

3 MR. MARTEL: We've done that already.

4 MR. O'LEARY: We have done that already.

5 Q. Can I turn you to Question 46 page 26  
6 and in response to that question you indicate that:

7 "The public should be presented with a  
8 comprehensive range of alternatives  
9 that involve the entire forest management  
10 unit and all activities planned over the  
11 entire planning horizon for the forest  
12 and suggest that the planning horizon  
13 should be at least one forest rotation."

14 My question is to you, Ms. Dube-Veilleux,  
15 is: Why do you feel that it is necessary to use such a  
16 long planning horizon, such as at least one forest  
17 rotation?

18 MS. DUBE-VEILLEUX: A. The short answer  
19 to that is because the effects of any changes in the  
20 forest last more than the term of the five-year plan,  
21 they are long range effects and, therefore, when the  
22 planning is done, recognizing that there are other  
23 values besides the timber values that will be affected  
24 by the removal of those trees or by any of the  
25 activities involve in harvesting -- I'm sorry, those

1 effects will be felt for a long time by other values  
2 that are not timber values.

3 Q. Okay. Can you give me any examples  
4 of that, say, from a tourism perspective or I should  
5 say a remote tourism perspective?

6 A. From a remote tourism perspective we  
7 have hundreds of examples. For example, the removal of  
8 a stand of trees or of a unit or any of the operations  
9 in the vicinity of a tourism area is something that is  
10 generally done over a one-year term or a five-year term  
11 or maybe just in two weeks you can remove an awful lot  
12 out of one area.

13 So two weeks supply of the mill run or  
14 the cutting for two weeks and you can take another --  
15 or if you're going to measure it as two weeks supply of  
16 the mill it becomes a 20-year or 50-year or 70-year  
17 effect on the tourism sector in that area. I guess  
18 this is -- I'm sorry, could you get me back on line.

19 Q. I asked you whether or not you had  
20 any examples--

21 A. Yes.

22 Q. --of where -- we were talking about  
23 why you felt it was necessary to consider the full  
24 forest rotation, and I asked you for examples from a  
25 remote tourism perspective.

1                   A. So there are the aesthetic  
2       implications right off the bat, there are the fish and  
3       wildlife implications right off the bat, and these are  
4       strong values associated with the tourism industry,  
5       there's also the economic impact on the long term that  
6       becomes extremely important.

7                   While it might be a two-week supply of  
8       wood for the mill, it is a 20-year effect on the  
9       economy of that tourist operation and, in fact, it  
10      might mean a difference of whether he can survive or  
11      not, or whether the industry can survive or not in any  
12      particular area.

13                  And we certainly have several examples  
14      out there of areas that have been rendered absolutely  
15      none -- no value at all to the tourism industry any  
16      more because of the harvesting practices in the  
17      vicinity of that lodge. And each opportunity that is  
18      lost to tourism is one that cannot be replaced, and  
19      that, sadly enough, is the situation in much of  
20      northern Ontario.

21                  Mr. Alexander is fortunate enough to be  
22      in an area where there are hundreds and hundreds of  
23      lakes, and I'm unfortunate to be up in an area where  
24      there aren't, and so what's there is there and that's  
25      what there is to be worked with.

1 MADAM CHAIR: Do you have any information  
2 on the number of remote tourist operators that have  
3 been forced out of business?

4 MS. DUBE-VEILLEUX: I don't have that  
5 information myself, although I'm sure it has to be  
6 available somewhere, with possibly the help of NOTO and  
7 MTR.

8 MADAM CHAIR: Yes, the Board would be  
9 interested in receiving something in writing with  
10 respect to NOTO's submission on whether they know of  
11 any tourist operators who have been required to shut  
12 down their businesses because of logging.

13 MS. DUBE-VEILLEUX: Could I also add that  
14 sometimes that should be almost divided as to whole  
15 operations that have lost their business--

16 MADAM CHAIR: As opposed to an outpost.

17 MS. DUBE-VEILLEUX: --or a partial,  
18 because that outpost, although it's part of a whole,  
19 and the loss of one outpost here and one outpost there  
20 becomes the loss of all the business.

21 Furthermore, we might be talking about  
22 one lodge or one camp or an outpost on a lake, sat on  
23 one lake as being one small operation, however, because  
24 it is a fly-in the operation of that lodge or camp or  
25 outpost also involves the air service that is providing



1 the transportation for the guests and for supplies and  
2 all the rest of it, so now the air service is also  
3 affected financially when any of these lakes becomes  
4 non-usable by the industry.

5 And so the ripple effect here can be  
6 very, very serious and could put indeed more than one  
7 business out -- either out of business or in a bad  
8 financial state.

9 MR. O'LEARY: Madam Chair, we will make  
10 best efforts to get you that information.

11 MR. CASSIDY: Madam Chair, if that is  
12 going to be the case and it's going to be something  
13 that other parties might very well be interested in  
14 reviewing, the need would then arise to have the answer  
15 answered in a fashion by those who were affected in the  
16 fashion you have asked for, or for purposes of us doing  
17 our own determinations we would need clarification  
18 rather than just being concerned about simply the  
19 number being provided, the utility of which I think is  
20 less than useful, and I would therefore ask that Mr.  
21 O'Leary produce the answers by the outfitters so that  
22 we might do our own interpretations.

23 MR. FREIDIN: If I might add, it would  
24 also be useful if any particular operator had taken  
25 that position, in addition, if they would indicate

1 where the operation were, if it was a specific outpost  
2 camp which in fact was the starting place -- we would  
3 want to know where it was because we might want to,  
4 therefore, determine what activity took place there,  
5 whether there had been input from the tourist operator  
6 in what sort of planning took place, when did it take  
7 place.

8 And to properly assess the weight to give  
9 to the answer to the undertaking, we need that kind of  
10 information. So, again, I think it's more than just a  
11 number.

12 MADAM CHAIR: Well, we haven't -- yes,  
13 yes, we understand that we need more than a number of  
14 17 tourist operators who have gone out of business, and  
15 what we will do is instruct Mr. O'Leary to talk to  
16 Board counsel, Mr. Beram, about this so that the  
17 question put to Ms. Dube-Veilleux and NOTO can be  
18 answered in a satisfactory way.

19 MR. O'LEARY: We will make best efforts  
20 to be as specific as possible, but obviously the best  
21 evidence would be to have each one of these remote  
22 tourism operators here before you to say exactly what  
23 happened. I don't think we have the time for that.

24 MADAM CHAIR: Well, we have certainly  
25 listened to dozens of NOTO members who have explained

1 to us how they feel their operations are at risk and  
2 the variation on that and how occasionally or sometimes  
3 MNR does assist them in relocating certain parts of  
4 their operations.

5 The Board understands that this is a  
6 complicated question, but we have in front of us no  
7 evidence - and you can correct me - we have in front of  
8 us no evidence that a remote tourist operator has been  
9 put out of business because of timber management  
10 practices in his or her area of operations.

11 MS. DUBE-VEILLEUX: I respect your  
12 statement, put out of business, but he may have lost  
13 the use of his business in a particular area.

14 MADAM CHAIR: Yes. We have received  
15 evidence of outpost camps that have been vandalized or  
16 closed or --

17 MS. DUBE-VEILLEUX: I think the other  
18 implications here, and part of it that becomes very  
19 hard to measure because this has been going on for a  
20 long time and different people have tried to get a  
21 handle on it, is the fact that the quality of that  
22 operation is -- when the quality of it is touched, the  
23 operator may not lose that lake completely, except that  
24 when guests go to it one year and see what's there and  
25 feel the effects of it, they won't go back the next

1 year, and so the viability of that as a long-term  
2 project becomes something that is very, very difficult  
3 to measure. It's a hard one to put a handle on.

4 MR. MARTEL: Well, if the whole of the  
5 tourist -- I mean, I think that's why we spent so much  
6 time this morning trying to get a handle on the tourism  
7 aspect in forest management because it's probably the  
8 most complicated of all of the other -- of the issues.

9 I'm not reducing, minimizing the problems  
10 affecting moose management or so on, but the whole of  
11 the tourist problem, if I can use that term, in  
12 planning is one of the things that probably, if one  
13 were to pick out the most significant issue, or maybe  
14 difficult area to resolve, it might be tourism, and  
15 we're groping for information to try to get a handle on  
16 specifically what's happening.

17 My colleague has said, we've heard lots  
18 of evidence, various people as we've travelled, that's  
19 why we have travelled, but it's to pin it down, I mean,  
20 the whole series of questions, at least I've been  
21 asking this morning, to try to get more specific  
22 information on a whole series of things. How you  
23 mitigate, a whole series of things.

24 Should indicate, at least my questions,  
25 that I'm really grappling with just part of it.



1 MADAM CHAIR: What is the status of the  
2 effectiveness monitoring long-term studies on tourism  
3 that MNR has proposed?

4 MS. DUBE-VEILLEUX: The status of it at  
5 the present time Madam Chairman, or the effect?

6 MADAM CHAIR: The status of it. At one  
7 point we heard evidence from Mr. Straight, I think it  
8 was Mr. Straight, with respect to the follow-up of the  
9 ESSA exercise and the long-term monitoring programs by  
10 MNR, that there would be some research done on  
11 questions of impacts on tourism, including remote  
12 tourists, from timber management.

13 MS. DUBE-VEILLEUX: The initiatives that  
14 I'm familiar with at this point include -- I believe  
15 you're referring to the hiring of Wolfgang Nader, the  
16 forestry scientist, who will be conducting studies  
17 for -- it's a 10-year study research project for the  
18 Ministry of Natural Resources.

19 He has only just started about a year  
20 ago, and it is a long-term project, although, you know,  
21 he's underway now and we actually, in our area, helped  
22 him with a pilot survey this year that will be  
23 distributed next year to guests of remote tourism  
24 industry.

25 That obviously will not change anything

1 right away, but it's a first attempt to try to get some  
2 of the information that we're sitting here wishing that  
3 we had. So that is underway.

4 Another specific area that I'm familiar  
5 with is on the Magpie Forest where -- in the area of  
6 the bump-up request, where the Minister of the  
7 Environment, and I believe that is here in the EA  
8 report somewhere, that the Minister has indicated that  
9 in that unit there will be a study, a monitoring of the  
10 effects.

11 I could point that out if you wish, Madam  
12 Chair.

13 MADAM CHAIR: No, that's fine, thank you.

14 So that we don't keep asking you this  
15 question: Is the Board to take it that we will be  
16 receiving no statistical evidence from NOTO or the  
17 remote tourist industry association on any quantitative  
18 aspects of the effects of timber management on tourism?

19 MS. DUBE-VEILLEUX: Again, I cannot speak  
20 for NOTO. I know that for the remote tourism industry  
21 association we have only been in operation for a year  
22 and we don't have that done ourselves.

23 MADAM CHAIR: But as far as the Board  
24 knows, after the Coalition's case is over, we will be  
25 hearing nothing else from NOTO.

1 MR. O'LEARY: That's my understanding.

2 MADAM CHAIR: So the Board will take it,  
3 unless we're told differently, that we will not be  
4 receiving any statistical evidence from NOTO with  
5 respect to the impacts of timber management on its  
6 membership, and we've asked for two outstanding  
7 undertakings; one is a map of the location of NOTO  
8 operators members, and the second is some idea of any  
9 NOTO members, or your members, who have been forced out  
10 of business because of timber management practices or  
11 who have suffered a business loss.

12 And I don't know how you're going to find  
13 a way of reporting to the Board on that, but we're  
14 going to leave it with you.

15 MR. O'LEARY: The Panel 8 that will be  
16 giving evidence will be dealing with some of these  
17 issues. But we will also see what we can do and I will  
18 discuss it with Board counsel to see whether or not we  
19 can be as specific as you wanted.

20 MADAM CHAIR: All right, thank you.

21 MR. O'LEARY: We're trying to move this  
22 along a bit in terms of my questions.

23 Q. Ms. Dube-Veilleux, you indicate at  
24 Question 48, I believe it is -- no, sorry. You  
25 indicated yesterday that you participated in a number

1 of advisory committees. Can you tell me what powers  
2 did or do these advisory committees have?

3 MS. DUBE-VEILLEUX: A. They are advisory  
4 committees and, as such, that is their intent. I don't  
5 see these committees as having specific power, except  
6 in an advisory capacity to an ultimate decision-maker.

7 Q. All right. Do these advisory  
8 committees have the power to bump-up an issue before  
9 them?

10 A. None that I'm involved in.

11 Q. What is your view as to their lack of  
12 having this power?

13 A. In some cases, depending on the  
14 nature of that advisory committee itself, I don't  
15 believe that there's -- that there's any effect at all.  
16 However, if we're going to be meaningful in, I suppose  
17 going back into an area where we all have admitted that  
18 it's important for the communities and all the  
19 stakeholders on a given unit to be involved in some of  
20 the decision-making, to have the information and to  
21 pursue options and choices, and where those committees  
22 hopefully would be working in close conjunction and  
23 become a unit capable with all the information of  
24 making decisions, of addressing perhaps some of the  
25 these conflicts or conflicts or use conflicts, just



1 taking everything basically on the unit into  
2 consideration, that as an advisor to the district  
3 manager I would feel that all avenues would have been  
4 addressed at some point in an advisory capacity to the  
5 district manager, and at that point there would be  
6 nothing more that the district manager himself could do  
7 really than to say all avenues have been explored, and  
8 if the problem can't be solved, then a bump-up would  
9 have to be the automatic next step so that it could be  
10 visited at a different level.

11 Q. Ms. Dube-Veilleux, am I to understand  
12 from what you're saying that you believe that the local  
13 citizen's committee should have bump-up power?

14 A. If the committee that is designed  
15 with all the stakeholders and with the commitment of  
16 each of those stakeholders and with the time and energy  
17 that will be required to gather all the information and  
18 to make all the decisions and solve all the conflicts,  
19 yes I believe that once everything has been explored  
20 that the minister would like to look at, would almost  
21 have to accept a bump-up.

22 Q. Can I ask you to turn to the  
23 Coalition's term and condition No. 79 at page 14, and  
24 my question is simply: Do you have any comments with  
25 respect to that term and condition in respect of the

1        comments and concerns you just expressed?

2                    A. All right. This term and condition  
3        79 addresses the 50 per cent majority of the PAC  
4        members. In order to answer that, I think I would like  
5        to go back to 76, 77 and 78 where a logical  
6        progression, as I've tried to explain, would have to be  
7        that all available information is dealt with by all the  
8        stakeholders, that through the process these people  
9        have come to know the issues, that they are committed  
10       to the best possible resource picture for that unit  
11       and, yes, I believe at least a 60 per cent majority  
12       would have to be reached.

13                   In fact we would hope that in the end,  
14        after spending that much time and digesting the  
15        information and solving the perhaps personal or  
16        disputes or resource conflicts that a consensus could  
17        probably be reached that if this is what's going to  
18        be -- this is what will be best for our area, and if  
19        the timber management plan does not address those  
20        resource issues or an amendment to the plan doesn't  
21        take all that into consideration, then -- or if a  
22        portion of the plan doesn't take all that into  
23        consideration, then I really believe that 79 would have  
24        to kick in.

25                   Q. Thank you. Can I ask you to turn to

1 the end of your response to Question No. 48 in your  
2 witness statement which is at page 28. You make  
3 reference to - and this is in trying to indicate how  
4 these items might assist in public discussion - you  
5 refer to, for example, workshops and seminars. Can you  
6 tell us what you mean by seminars in that response?

7 A. Yes. I think basically what we're  
8 talking here is preparing a whole set of stakeholders  
9 with the best possible information in order to make  
10 choices and to present options and alternatives.

11 In order to do that, obviously we need  
12 more than just handouts at an open house or whatever,  
13 it's going to involve real communication with all the  
14 stakeholders, it's going to involve sitting down and  
15 learning plans, not in any great technical way, but  
16 certainly learning a lot more than what we know now  
17 about forestry and sharing that information with the  
18 stakeholders, learning a lot more about the biological  
19 aspects of the units or any particular area of that  
20 unit, learning a lot more about problem solving, about  
21 negotiating, about the existing state of the resource  
22 in a particular unit, and I include the trees, the  
23 forest and the - like the wood fiber part of it as well  
24 as the other resources.

25 And for a team like that to be able to

1 are -- in order to provide a team with that type of  
2 capability and information, certainly it will require  
3 some training type of mechanism so that the information  
4 can be properly disseminated, and I could possibly  
5 refer you to terms and conditions, or term and  
6 condition No. 131 by the Coalition.

7 Q. That is at page 22.

8 A. where we present here one way of --  
9 or certainly -- I will give you a chance to read it.

10 In this scenario the Ministry of Natural  
11 Resources is taking some of the responsibility for  
12 training the members of an advisory committee,  
13 providing the opportunities to share information, to  
14 look at past operations obviously and see what good  
15 things happened and how other things could have been  
16 improved on or what indeed just didn't work, and to try  
17 then to improve the consistency in the application of  
18 the process.

19 Q. Turning now --

20 MR. MARTEL: Could I ask a question,  
21 because I'm a bit concerned here. If we're moving to a  
22 new planning process with a PAC involved, not in the  
23 open house -- I mean, the old process as I understand  
24 it, people came to an open house, they didn't have time  
25 to dig in, you had from 9:00 in the morning until 9:00



1 at night and walked away, but the new proposals by the  
2 industry which has the committee involved very early in  
3 the game, I think they had a year of gathering  
4 background information if I'm correct - I'm just going  
5 by memory - but I think it's a year of being involved  
6 in the gathering of the background information, looking  
7 at the various conflicts.

8 Is that not going to alter very  
9 substantially the thing you're concerned with, too  
10 little too late, because in fact it seems to me that  
11 the PAC committees -- or the PACs are going to be  
12 directly involved long before the open house occurs,  
13 will have an opportunity to present material, to insist  
14 on stuff being there that previous to now you simply  
15 received as a matter of being given to you on sheets of  
16 paper, but your involvement is much more direct under  
17 any new process being proposed.

18 MS. DUBE-VEILLEUX: That's correct.

19 MR. MARTEL: Which should eliminate some  
20 of that concern you just expressed.

21 MS. DUBE-VEILLEUX: Oh, most definitely,  
22 most definitely.

23 MR. ALEXANDER: If I could just make a  
24 comment on it. To me I think we have to go back to the  
25 original question and, that is the power of bump-up,

1 and certainly a bump-up request should be the last  
2 thing you should ever want to do, and I think you will  
3 minimize the possibility of a bump-up request if you  
4 have taken these local PACs and educated and informed  
5 them, and I think they'll reach compromises and  
6 decisions and you're going to have some win/win  
7 situations.

8 But there may be cases arise where that  
9 won't work, there may be a certain section of that plan  
10 that does need a bump-up, and I think that the  
11 committee should have that.

12 And I can tell you recently right at this  
13 very time there is a bump-up request going on in  
14 northern Ontario, and the two individuals that have  
15 requested that bump-up by themselves are being  
16 ridiculed and severely chastised by some members of the  
17 public via the media, and I'm sure if they had it to do  
18 over again they probably wouldn't have requested it  
19 because of being made to look bad.

20 And, of course, they use the argument:  
21 Well, the long-term cost to the town and the long-term  
22 cost to the timber industry by not doing what you want  
23 them to do, and stuff.

24 In small community that's tied into the  
25 wood production it's very difficult for an individual.

1 If a committee had that power, then the responsibility  
2 wouldn't fall to an individual.

3 MS. DUBE-VEILLEUX: And obviously the  
4 suggestion would be made based on extremely good  
5 information and all manners of conflict resolution  
6 having been dealt, with all matters of negotiating  
7 having been dealt with, and everything being done  
8 through this well educated and informed committee.

9 MADAM CHAIR: Thank you. Mr. O'Leary  
10 it's lunch time.

11 MR. CASSIDY: Madam Chair, just prior to  
12 the break two quick items. Ms. Dube-Veilleux, you  
13 referred to portions I believe of the Red Lake plan and  
14 I'm wondering if we might have the opportunity over the  
15 lunch hour to take a look at those portions over the  
16 lunch hour because I anticipate we may or may not have  
17 questions on them.

18 If we may have the opportunity over the  
19 lunch hour to do that, and I trust that's not a  
20 problem.

21 MR. O'LEARY: No, certainly. We will  
22 make it available.

23 MR. CASSIDY: And secondly, this has all  
24 been an interesting discussion on bump-up, however, I  
25 would like the Board to have the clear understanding

1 that there is going to be legal argument at the end of  
2 the day as to all the implications of discussions with  
3 regard to the fact of the jurisdiction of the Board to  
4 invoke these terms and conditions --

5 MR. O'LEARY: Is Mr. Cassidy proposing  
6 that we start argument later this afternoon.

7 MR. CASSIDY: Mr. O'Leary is clearly  
8 under the wrong impression if he thinks that. As he  
9 well knows, legal argument takes place at the end of  
10 the hearing.

11 MR. O'LEARY: That's what I thought.

12 MADAM CHAIR: Mr. Cassidy is talking  
13 about next October.

14 MR. O'LEARY: Yes, I'm aware of that.

15 MR. CASSIDY: In Sudbury.

16 MADAM CHAIR: In Sudbury, Mr. O'Leary.

17 MR. O'LEARY: Yes. I'm simply indicating  
18 that it's not our -- we don't feel it's appropriate to  
19 be responding to Mr. Cassidy today, but we do have a  
20 legal opinion on the subject as well and that will be  
21 hopefully received in argument as well.

22 MADAM CHAIR: Thank you. We will break  
23 for lunch now. We will see you after lunch.

24 ---Luncheon recess at 12:05 p.m.

25 ---On resuming at 1:35 p.m.



1 MADAM CHAIR: Please be seated.

2 MR. O'LEARY: We're still missing --

3 MR. MARTEL: Did he get lost.

4 MR. O'LEARY: Well, I'm not certain if  
5 this is as a result of back difficulties or the weather  
6 has --

7 MR. MARTEL: I think he said he had  
8 enough.

9 MR. O'LEARY: I suspect we could proceed  
10 without him, unless some of the other parties were  
11 concerned that Dr. Neuman be in attendance.

12 MR. CASSIDY: As long as he's here by the  
13 time I get to cross-examine, I have no objection.

14 MADAM CHAIR: If there are no objections,  
15 why don't we go ahead, Mr. O'Leary.

16 MR. O'LEARY: All right, thank you. I  
17 was going to say Mr. Freidin isn't -- I'd like to  
18 proceed now.

19 MR. CASSIDY: Quickly.

20 MADAM CHAIR: Quickly.

21 MR. O'LEARY: Quickly, yes.

22 Q. Ms. Dube-Veilleux, can I ask you now  
23 to turn to Question 51 in your witness statement and  
24 the question in this case relates to what you refer to  
25 as the last requirement for effective public

1 discussion, and you say -- the question is - identified  
2 as relating to ensuring that the results of public  
3 consultation have an impact on proposed timber  
4 management activities.

5 And the question you were asked in the  
6 witness statement is:

7 "How do you see establishing and  
8 maintaining this perception in the  
9 public's mind."

10 And in the second paragraph of your  
11 response you state that - and perhaps I should read it:

12 "A key part of the rationalization is to  
13 indicate what the overall benefits and  
14 costs of alternate decisions are likely  
15 to be and how these costs and benefits  
16 are likely to be distributed amongst  
17 different resource user groups."

18 What I'd simply like you to explain is  
19 what you meant by distributed amongst different  
20 resource user groups?

21 MR. FREIDIN: Before she answers the  
22 question, the question was...?

23 MR. O'LEARY: 51 starting at page 29 and  
24 I'm referring to the second paragraph on page 30.

25 MR. FREIDIN: Thank you very much.

1 MS. DUBE-VEILLEUX: Could you repeat the  
2 question, please.

3 MR. O'LEARY: Q. Sure. I'm taking you  
4 to page 30 and you will see the second half of the  
5 second paragraph.

6 MS. DUBE-VEILLEUX: A. Mm-hmm.

7 Q. And you indicate that:

8 "A key part of the rationalization is to  
9 indicate what the overall benefits and  
10 costs of alternate decisions are likely  
11 to be and how these costs and benefits  
12 are likely to be distributed among  
13 different resource user groups."

14 And I simply want you to explain what you  
15 mean by the latter portion of that sentence,  
16 distributed amongst different resource user groups?

17 A. Obviously there are costs and  
18 benefits to the timber industry as regards the  
19 operation. There are also costs and benefits involved  
20 in the tourism industry in that area, and there are  
21 costs and benefits involved in the planning of  
22 opportunities for local anglers and hunters and  
23 resource users, there are costs and benefits that  
24 relate to the communities that live in close proximity  
25 to these -- to the forest unit.

1 I guess what we are -- what we're  
2 referring to here is in the rationalization for  
3 choosing one method as opposed to the other that all  
4 these costs and benefits should be taken into  
5 consideration, and where there is perhaps a  
6 disproportionate loss in one area and a  
7 disproportionate - I hate to make this sound at this  
8 point as a personal value judgment, but we have to  
9 again look at it in the short term and the long term -  
10 where there is clearly a division where one user or  
11 user or more than one user is completely at a  
12 disadvantage in order to benefit only one user, then  
13 perhaps there should be some form of compensation  
14 considered.

15 And as an example of that, I would say -  
16 and probably the most glaring example would be in the  
17 case of forestry operations in close proximity to a  
18 tourism lake where that -- the benefits accrued to the  
19 timber company are evident and the loss of those  
20 benefits accrued by the tourism industry is  
21 disproportionately considered, then there should be  
22 some form of compensation.

23 Q. Okay, thank you. Now, in turning to  
24 Question 52, in response to that question you indicate  
25 that:



1 "Bump-up powers assigned to local public  
2 advisory committees will increase public  
3 trust and commitment to the timber  
4 management process."

5 Can I ask you: What is your view as to  
6 the necessity of these powers being given to local  
7 public advisory committees?

8 A. I believe it's crucial that the  
9 committee have this power ultimately, although the hope  
10 in this case would be that it would never have to be  
11 used because the whole process would have allowed for a  
12 complete visiting of all cost effects, all the  
13 variables, everything else that would have anything to  
14 do at all with the forest.

15 And having said all that, the people who  
16 are going to be involved on the public advisory  
17 committee are going to be spending an awful lot of time  
18 and energy and effort and, most likely, a lot of  
19 personal cost over an extended period of time.

20 We're looking right now at almost two  
21 years or 18 months at least to work out a timber  
22 management plan, and a lot of this work should be done  
23 almost at the outset so that the plan -- the planning  
24 team can put together the best plan to help solve a  
25 lot -- or to help fit in with the recommendations and

1 the concerns of the local community.

2 And there I use local community in the  
3 broad sense of being the stakeholders on that forest,  
4 and that would include the lumber company, the  
5 municipalities, the anglers and hunters and resource  
6 users, the tourism industry, and the Native concerns  
7 that may be in the area; any and all concerns that are  
8 part of the nature of that forest.

9 Q. And Ms. Dube-Veilleux, have you  
10 formed any opinion as to - and you have just indicated  
11 you feel it's a necessary component - but have you made  
12 any comparison with the appeal process which is being  
13 proposed by the MNR, and if you have made any  
14 comparisons of bump-up provisions which you indicate  
15 you prefer and the appeal process, I wonder if you  
16 might share your comments with us?

17 A. Basically the appeal process right  
18 now comes to a point where a request for a bump-up may  
19 be made to the minister and in due time the minister  
20 will respond to that, however, until the minister has  
21 responded to even indicate whether he may very well  
22 grant -- will listen to the request, activities  
23 continue as normal.

24 What we are proposing here is that with a  
25 good effective committee whose members have been giving

1 time and energy and sharing knowledge and a commitment  
2 to making that a good forest, the problem should have  
3 been ironed out and all avenues have been approached  
4 and considered and a best alternative reached by all  
5 the parties.

6 Should at that time there be no other way  
7 to go, then a bump-up would have to be automatic, and  
8 those people who have spent the time and gone to the  
9 experts and done all the work should be a credible  
10 party at that point to say a bump-up is required and  
11 not spend the time even in a request for that bump-up.  
12 It is now required because we have explored all the  
13 avenues.

14 Q. All right. Turning to Question 53 on  
15 page 32, you indicate that:

16 "The Government response to a bump-up  
17 request has been...", and the word you  
18 use is indeterminable. Can you elaborate on it. You  
19 may have some extent already, or do you have any  
20 specific examples?

21 A. I would like to refer to the EAAC  
22 report, I'm sorry I don't know the exhibit number, but  
23 I believe it's already in evidence.

24 MADAM CHAIR: Yes, it is. It's Exhibit  
25 1974.

1 MS. SEABORN: I believe the actual report  
2 is 1973 and the correspondence from the Minister of the  
3 Environment is 1974.

4 MADAM CHAIR: Thank you, Ms. Seaborn,  
5 you're right.

6 MS. DUBE-VEILLEUX: And here I refer to  
7 that only in the fact that the request made by - and  
8 I'll refer it specifically to the Magpie request -  
9 that the request was made somewhat over two years ago  
10 and the letter from the minister and decision came out  
11 on November the 19th of '91. I guess it's actually  
12 1974, that the Exhibit 1974.

13 In the meantime, activity has continued,  
14 business has continued as usual for the lumber company  
15 and the real concerns and the reason for the request  
16 has not been completely solved to the satisfaction of  
17 the party who asked for the request.

18 I just believe that when -- and possibly  
19 this request would never have had to come to the  
20 minister in the first place if the system had allowed  
21 for a little bit more negotiation and more input and  
22 more meaningful consultation before this was necessary.

23 So basically you really haven't solved  
24 the problem here, it's merely been deferred and now we  
25 have to start working on it, and that time frame, in my



1 opinion, is really a waste of time because the problem  
2 isn't being solved.

3 Q. All right, thank you. Next I would  
4 ask you to both turn - Mr. Alexander you may have a  
5 comment on this as well - to Question 55 and the  
6 question is:

7 "Do you see using the bump-up mechanism  
8 to appeal unfavourable decisions as a  
9 routine aspect of timber management  
10 planning in the future?"

11 And your response, Ms. Dube-Veilleux, is:

12 "No, bump-up should be seen as a last  
13 resort when all other mechanisms of  
14 conflict resolution have failed."

15 And my question is for either or both of  
16 you. Can you elaborate on your expectations in this  
17 regard and, that is, stated in the next sentence that:

18 "My expectation is that the timber  
19 management planning process demonstrably  
20 responds more to non-timber concerns, the  
21 need for bump-up will diminish."

22 Can you tell us what evidence or  
23 information you have that leads to that conclusion?

24 A. I believe I've probably touched on it  
25 somewhat as we've gone along here. I would assume with

1 a good working committee that all the attention  
2 necessary would have been given to the non-timber  
3 values that would have been shared among all parties,  
4 all the stakeholders would have been at the table, the  
5 conflicts would have been addressed, the information  
6 shared, everything one is holding the same information,  
7 all avenues for negotiation would have been explored  
8 and brought to fruition, hopefully, agreement or some  
9 type of consensus would have been reached by all  
10 parties that indeed this was the best way to go and it  
11 would have been solved at a local level where the real  
12 stakeholders live and work and know the area really.

13 My concern here is that that would  
14 probably be the most effective way to come to a good  
15 reasonable solution for everyone's problem, as opposed  
16 to the need to go and ask - I hate to use the term -  
17 but an outsider really from a local party. Therefore,  
18 there would really, in my estimation, be very little  
19 need to ever go to the minister for a bump-up.

20 Q. Mr. Alexander, do you have --

21 MR. ALEXANDER: A. Well, I touched on it  
22 earlier too. I think all I can do is support what she  
23 says, that I very firmly believe that most of your  
24 conflicts can be resolved if all of the people are  
25 present ahead of time.

1 I can mention a little experience that I  
2 had with a bump-up and I was approached by some other  
3 user groups on a major amendment to a timber plan and  
4 there was some concern expressed and I shared some of  
5 those concerns and things kind of got out of hand and  
6 the next day there was a headline in the newspaper that  
7 there was going to be -- there was a threaten that  
8 there was going to be a bump-up on this particular  
9 amendment and my name was associated with the other  
10 players that was in there, and immediately the head  
11 office was called by a number of our members that  
12 happened to be employed by that sawmill operator and,  
13 of course, it gets to be kind of -- they hold you kind  
14 of ransom kind of thing. If you're going to do this,  
15 we're going to shut this mill down type of thing, was  
16 almost the approach that they take on it.

17 So head office called me back and said:  
18 What's happening here, what are you doing, we're  
19 getting all these calls from members. And it just puts  
20 everybody in a uncomfortable position. But at least if  
21 that mechanism is in there for the local advisory  
22 committee, they don't have to be responsible, they  
23 don't have to be worried about somebody calling them up  
24 and threatening them as to what might happen to go  
25 ahead with that.

1 Q. Thank you. Now, Mr. Alexander,  
2 turning to your response to Question 56 at page 34,  
3 we're talking now about the general area of adequate  
4 opportunity for review of key decisions.

5 In the first paragraph of your response  
6 you indicate that:

7 "There is nothing in timber management  
8 plans regarding the basis for the  
9 application of the moose guidelines."

10 Why would you expect that something like  
11 moose guidelines in a timber management plan -- why  
12 would you expect to see something like moose guidelines  
13 in a timber management plan if wildlife management  
14 issues are dealt with in wildlife management plans?

15 A. Well, targets are set for --  
16 population targets are set for moose or bear, but if  
17 you're, saying that there's comprehensive wildlife  
18 management plans, certainly within the Dryden district  
19 there is no such thing, other than there has been  
20 targets in the district land use guidelines have been  
21 set for population levels, yet timber management plans  
22 are being developed, and in my opinion, without  
23 management habitat, without trying to reach them  
24 targets, and what happens is you separate the two of  
25 them, you have separated timber management practices



1 from wildlife habitat management, and I don't think you  
2 can do that.

3 And I don't think there is, that I'm  
4 aware of, comprehensive wildlife management plans in  
5 Ontario.

6 Q. All right. And in the second  
7 paragraph of your response to that question at page 34  
8 you indicate that:

9 "The detailed configuration of various  
10 timber management activities are not  
11 provided in the timber management plan. "  
12 Do you have any specific examples of this  
13 and, if so, can you explain the significance to the  
14 Board?

15 A. Yes. What I have found that at least  
16 in my experience when attending timber management  
17 planning open houses and you walk into a room and all  
18 the maps are up on wall and they're all nice and  
19 coloured and shows the areas are going to be cut and it  
20 shows the lakes and the areas that are going to be  
21 left, and one time I expressed concern about the size  
22 of a particular cut because it was coloured in the  
23 colour that the cut was going to be, and the answer I  
24 got was: Well, that's not really the way it's going to  
25 be, that's not going to be the configuration of it

1 because there will be standing timber left within that  
2 block.

3 And then my immediate reaction was: Why  
4 am I looking at this. Why do I not see that  
5 configuration now. And I recognize that there is some  
6 problems when you're dealing with a vast area of timber  
7 management plan, perhaps laying these out exactly, but  
8 I think they could be laid out a little better so what  
9 the public is looking at is closer to what they're  
10 actually going to see.

11 Q. All right. Now, moving on to the  
12 third paragraph of your response you state:

13 "As I understand the current timber  
14 management planning process, most of  
15 these decisions are decided at the  
16 project planning level."

17 And my question simply is: What do you  
18 mean by the project planning level, Mr. Alexander?

19 A. Well, by that I mean after the timber  
20 management plan is completed and the public input  
21 process is finished, then they go out and roads are  
22 laid out, culverts are put in place and there's no  
23 public input at that particular point.

24 It's simply -- I guess the process is  
25 finished and you're left with, somebody has to make a

1 decision as to what size the culvert might be for a  
2 particular creek crossing or stream crossing.

3 And the concerns I have there is are they  
4 in the spring of the year when the water is high, or  
5 are they in there in the fall of the year or just when  
6 they're laying it. And that's what the project  
7 planning thing is, the things that are done after the  
8 public process is finished and they start laying out  
9 the roads.

10 Q. And moving on to question No. 59 and  
11 your response to that, Mr. Alexander - that's at page  
12 36 of the witness statement - you indicate that:

13 "The technical basis for the analysis of  
14 alternatives is important to some members  
15 of the public."

16 And you cite the example of the Ontario  
17 Federation of Anglers & Hunters head office staff. Do  
18 you have any specific or actual examples of this?

19 A. You mean as far as staff being able  
20 to comment on timber management plans?

21 Q. Well, looking at the question, you  
22 are asked:

23 "Is it realistic to expect members of the  
24 public to take the time to understand and  
25 evaluate these types of technical

1 decisions?"

2 And the first question I guess I would  
3 ask for you to elaborate on is the ability of the  
4 Ontario Federation of Anglers & Hunters and, if you  
5 can, do you have any examples of that?

6 A. Well, yes, and I think I can. Most  
7 members of the public are not going have the time to  
8 delve in real deeply into the timber management  
9 planning process and all the technical details of it,  
10 however, the OFAH has a lot of people on staff, we  
11 employ a number of biologists, we have some real areas  
12 that are people of expertise on our Board of Directors  
13 and you're only given 30 days to respond to these type  
14 of things, that does not give us sufficient time.

15 I hate to get into mentioning names, but  
16 we have on -- the OFAH has on our Board of Directors  
17 people of -- Dr. Ed Cross from the Royal Ontario  
18 Museum, we have had on our Board of Directors Dr.  
19 Harold Harvey who is world reknown and I guess  
20 considered to be the man that discovered acid rain.

21 We have on our Board of Directors former  
22 fish and wildlife supervisor of the Ministry of Natural  
23 Resources and as matter of fact we have a person on our  
24 Board of Directors a person who was the former director  
25 of the wildlife branch for the Ministry of Natural



1 Resources.

2 So we have a lot of expertise on our  
3 Board and what we need is time to have them look at our  
4 concerns and advise us on the technical things.

5 Q. And are you aware of any other  
6 individuals with particular experience or expertise -  
7 and this question is open to you as well Ms.  
8 Dube-Veilleux and, in your case, of course relating to  
9 NOTO - that might respond to that question?

10 MS. DUBE-VEILLEUX: A. Certainly there  
11 are -- we're asking basically in this for all  
12 non-timber values to be concerned, and there are  
13 experts as well in certainly the fish and wildlife and  
14 these people that we have access to.

15 And, again, members -- some of them, NOTO  
16 members themselves, are members of the Board, have  
17 developed a lot of knowledge, whether it is formal  
18 training or not in assessment and in actual hands-on  
19 work in fisheries projects and wildlife, and basically  
20 the idea being that there are other people out there to  
21 help those who don't have the time or the capacity to  
22 understand things the way they are presented right now  
23 in the plan.

24 And it would be nice if we could at least  
25 make use of those other people around to be a

1 go-between to help interpret the planning process for  
2 general members of the public. But that information is  
3 not easily available to be transferred to another  
4 person so that they can make a value judgment on it.

5 Q. Thank you.

6 MR. ALEXANDER: A. If I can state a  
7 couple of examples. There was a committee called the  
8 Ignace Co-management Committee which dealt with the  
9 Indian Lake chain and we had a representative on that  
10 committee and also there was another committee called  
11 the MACB Committee which is the Minnitaki, Abraham,  
12 Culligan, Batchford Lake chain in Sioux Lookout.

13 The Ministry of Natural Resources  
14 supplied a biologist who advised both of them  
15 committees as to educate them and advise them as to the  
16 direction they thought they should go and supply them  
17 with the data, and them committees simply did not trust  
18 them biologists, and what they did was they requested  
19 the opinion of an outside biologist, and in both cases  
20 the person who came was a biologist employed by the  
21 Ontario Federation of Anglers & Hunter.

22 Now, as it turned out that biologist,  
23 basically he told them the same thing, but the point  
24 being they don't want to trust, I guess, the process or  
25 the system that's been in place that's been bothering

1       them all these years, they had to get an outside  
2       opinion.

3                       And I think there's several different  
4       ways you can look at that, but to me it's an important  
5       thing. We have that expertise out there and we should  
6       have the opportunity to utilize it.

7                       Q. Next, could I ask you both to turn to  
8       the Illing Report dated December 12th, 1991 and ask you  
9       whether either or both of you have had an opportunity  
10      to review the terms and conditions that were negotiated  
11      by the parties and contained in the report dealing with  
12      the local citizens committees?

13                      MADAM CHAIR: Excuse me, Mr. O'Leary, we  
14      don't have this in exhibit. Any objections from the  
15      parties for it to be introduced now?

16                      MR. FREIDIN: Actually, Madam Chair, I  
17      was going to ask that that be made an exhibit at the  
18      end of the cross-examination. So I think it should be  
19      made an exhibit.

20                      MADAM CHAIR: All right.

21                      MR. FREIDIN: What I've done is I've got  
22      two extra copies -- well, actually I've got three  
23      copies here, one for the official -- I think what I'm  
24      suggesting that one be marked as the official exhibit.  
25      I understand that you and Mr. Martel have your own

1 copies.

2 MADAM CHAIR: We have our own copies.

3 MR. FREIDIN: I would like to leave you  
4 with at least one and I'll provide two additional  
5 copies so that you can hold on to them, whenever any of  
6 the witnesses or any of the parties want to refer to  
7 these, the witnesses will have copies, but these aren't  
8 to be taken away, but the Board can hold them.

9 MADAM CHAIR: All right. Fine, Mr.  
10 Freidin. Mr. Freidin, would it make it -- would it  
11 make it easier, Mr. Freidin, to put your client's terms  
12 and conditions in the following exhibit number. This  
13 will be Exhibit 2031.

14 MR. FREIDIN: Sure.

15 MADAM CHAIR: And shall we make MNR's  
16 terms and conditions dated -- do you have a date?

17 MR. FREIDIN: January the 6th, 1992 with  
18 a covering letter from Kathleen Murphy of January the  
19 7th, 1992 with some brief explanatory comments.

20 I can provide -- again, I assume the  
21 Board got their copies.

22 MADAM CHAIR: Yes we, do.

23 MR. FREIDIN: Mr. Hanna, here are two  
24 copies. Again, we trust that one be marked the exhibit  
25 and let the Board hold on to the extra copies.



1 MADAM CHAIR: Thanks, Mr. Freidin.

2 All right. Then Exhibit 2031 will be Mr.  
3 Ray Illing's December 12th, 1990 report of the  
4 Mediator/Facilitator on the agreement reached on terms  
5 and conditions with respect to timber management, and  
6 Exhibit 2032 will be MNR's terms and conditions with  
7 Ms. Murphy's letter all dated January 6th, 1992.

8 ---EXHIBIT NO. 2031: Mediator/Facilitator Report dated  
9 December 12th, 1990.

10 ---EXHIBIT NO. 2032: MNR terms and conditions dated  
11 January 6, 1992 with covering  
12 letter from K. Murphy.

13 MADAM CHAIR: Go ahead, Mr. O'Leary.

14 MR. O'LEARY: Thank you, Madam Chair.

15 Q. Just to refresh your memory, I'm  
16 asking you whether or not either or both of you had a  
17 chance to review the negotiated version of the terms  
18 and conditions which are attached to the Ray Illing  
19 report. Do either of you recall reviewing --

20 MS. DUBE-VEILLEUX: A. Yes.

21 Q. All right. Can I take you to  
22 Appendix 1 to point No. 5, and all I can tell you is it  
23 looks like about a third of the way through in terms of  
24 the pages. Oh, there is a tab. Tab 3, Tab 2.

25 MR. FREIDIN: Madam Chair, while we're  
that, I see the witnesses have a copy. Could I have

1 one of the Board's extra copies back. I don't have a  
2 copy. I'm being helpful to the point of being absurd.

3 MR. O'LEARY: It's the appendix, Madam  
4 Chair, marked Appendix 1, local citizens committee and  
5 it's at page 3 of that.

6 MADAM CHAIR: I have it now Mr. O'Leary,  
7 thank you.

8 MR. FREIDIN: Excuse me, can we all find  
9 it. I'm having difficulty.

10 MADAM CHAIR: You have to mark your tabs,  
11 Mr. Freidin, after A, B and C. We're marking them 1, 2  
12 and so forth and this is after Tab 2.

13 MR. FREIDIN: I need Mr. Kennedy with the  
14 his tab exercise.

15 MR. MARTEL: He just forgot to give them  
16 numbers.

17 MR. O'LEARY: Tab 2, Appendix 1, page 3.

18 Q. Actually it's a very short sentence,  
19 maybe I could read it out.

20 Q. Point 5 states:

21 "Members of the local citizens committee  
22 shall be reimbursed by MNR for reasonable  
23 out-of-pocket expenses in connection with  
24 their participation."

25 And, Mr. Alexander, my question to you is

1 whether or not you formed any opinion as to the  
2 adequacy of that provision?

3 MR. ALEXANDER: A. Well, I guess it gets  
4 into the question of commitment by the local public or  
5 the concerned public to get involved in all kinds of  
6 co-management or advisory committees or planning  
7 committees or local things like that, and I have been  
8 involved in dozens of them and done them out of concern  
9 and interest in the situation without being paid for it  
10 and I don't think that you can continue to expect that  
11 from the public.

12 MR. MARTEL: Isn't that an agreement  
13 though that's been reached with addition for more  
14 proposals?

15 MR. ALEXANDER: I'm sorry.

16 MR. MARTEL: I read this to mean that  
17 where you had consensus has not been reached you rule  
18 it out, but the others -- there's two other types, one  
19 where there has been total agreement and one where  
20 there is some I think semblance of agreement, but  
21 people can add additional material.

22 It seems to me that that reads that  
23 citizens are going to be reimbursed for participation  
24 with additional information or terms to be added if  
25 agreement is reached.

1 MR. FREIDIN: We are looking at No. 5,  
2 Mr. Martel.

3 MR. MARTEL: Yes, we are page 3.

4 MR. FREIDIN: What has been agreed to is  
5 that members of the local citizens committee will be  
6 reimbursed by MNR for reasonable out-of-pocket expenses  
7 in connection with their participation. We note that  
8 parties may propose addition to this terms and  
9 conditions.

10 It means after negotiations, all parties  
11 agreed with No. 5 as written but some parties to add  
12 more.

13 MR. MARTEL: Yes.

14 MR. FREIDIN: I think these questions are  
15 going to what the more does OFAH should think should be  
16 added in relation to that particular subject or  
17 comment.

18 MR. MARTEL: That's correct.

19 MR. O'LEARY: That's correct.

20 MR. ALEXANDER: Then if I may then the  
21 point that I would like to make on it is that I believe  
22 that there should be a per diem for members of those  
23 committees, and I feel very strongly about that.

24 I guess I can tell you that my  
25 involvement in the past couple of years has probably



1 cost me in the neighbourhood of \$15,000 a year and I'm  
2 quite willing to do that, I'm not sure my wife is  
3 prepared to accept that any longer, but you're going to  
4 have to start reimbursing people for other than  
5 out-of-pocket expenses.

6 MR. O'LEARY: Q. All right. Either Mr.  
7 Alexander or Ms. Dube-Veilleux, either of you could  
8 respond to this question. Are either of you aware of  
9 any examples where citizens groups are paid a per diem  
10 or there is an honorarium available?

11 MS. DUBE-VEILLEUX: A. Yes, I can  
12 respond. One of the advisory committees on which I sit  
13 is OMAC, the Ontario Misallocation Advisory Committee  
14 and it requires a lot of responsibility and commitment  
15 and assuming a certain amount of every responsibility  
16 and expending a lot of commitment and there is a per  
17 diem offered for participation on that particular  
18 committee.

19 Q. What sort of time commitment are we  
20 talking about generally on that committee?

21 A. Generally there are four meetings a  
22 year in Toronto here. There may be other meetings  
23 called as, when and if the need arises. There were  
24 obviously more than four when we were setting the share  
25 allocation system.

1                   The other time that is involved is not so  
2 much the meetings in Toronto, it would involve more  
3 being available to the clientele, which is the tourism  
4 industry, who have questions and obviously call us at  
5 home and we have several -- usually conference calls in  
6 the case of particularly requests that are made to the  
7 Board and which we feel that it can be handled that  
8 way.

9                   There's no reimbursement for that type of  
10 thing, but certainly the commitment is more than four  
11 meetings a year, and usually those are two-day meetings  
12 or three-day meetings.

13                  So that it is an ongoing commitment and  
14 being available to the public for information and being  
15 able to disseminate that on an ongoing basis.

16                  MR. ALEXANDER: A. I may have indicated  
17 that I have never been reimbursed. Actually I was, I  
18 did receive a per diem when I sat on the Premiers  
19 Indian Fish Advisory Committee. That's the only one I  
20 was ever paid on.

21                  MR. MARTEL: Are the meetings with the  
22 Ministry or the advisory committee, the one you sat on  
23 recently, are they held on weekends or during the week?

24                  MR. ALEXANDER: Both.

25                  MR. MARTEL: Is it anticipated that

1 somebody should lose a day's salary to attend at such a  
2 meeting? I mean, a person -- someone on an advisory  
3 committee unless they have flexible working hours to  
4 attend a meeting could conceivably have to miss work.

5 MS. DUBE-VEILLEUX: That's right.

6 MR. MARTEL: I don't see very many  
7 volunteers doing that. I don't think you do either.

8 MS. DUBE-VEILLEUX: Yes, that is what  
9 we've saying, is that we have been doing an awful lot  
10 of that and definitely in order to get the people who  
11 can do it and who will make that strong financial  
12 commitment of their own free will in small communities,  
13 it's going to get harder and harder because there are  
14 only so many people there.

15 MR. O'LEARY: Q. Turning to point 6 on  
16 the same page which deals with records and  
17 documentation and says that:

18 "All of the documentation produced by the  
19 local citizens committee shall be  
20 available for review by interested  
21 persons."

22 I understand that there was some concern  
23 expressed in the negotiation session that term and  
24 condition 78 of the Coalition's might not be necessary.

25 Can you advise me, Ms. Dube-Veilleux, as

1 to what your view is as to the reasonableness or  
2 necessity of condition 78 -- and you better turn to  
3 that first of all. 78 is at page 14 of the terms and  
4 conditions.

5 All right. Looking at 78, can I ask you  
6 what your opinion is. Do you feel that that is a --  
7 have you formed any opinion as to the necessity of the  
8 reasonableness of condition 78?

9 MS. DUBE-VEILLEUX: A. In my opinion,  
10 this should be a natural process, part of the process  
11 in signing off the plan. I think if you look at what  
12 has been accepted in the Illing report in No. 6, the  
13 thoroughness with which these people will have to deal  
14 with the plan for a period of at least 18 months and  
15 follow up on any amendments that are promulgated  
16 through the five-year period, these people are going to  
17 have been very, very committed, and will have looked at  
18 all the possible information, they will have reported  
19 their findings as a committee, that report will be out  
20 for the public to review, their responsibility for  
21 their actions on the committee during the whole  
22 planning period will be available again for the public  
23 to view.

24 The whole process puts them very, very  
25 much in touch with the plan, and I would feel that in



1 order to - not to reward them - but certainly to  
2 give -- to validate the work that they will have put in  
3 on this planning effort would be -- the validation  
4 would be the signing off of the plan at the end of it  
5 to say: Yes, we are aware of what's in this plan, we  
6 have helped to work to construct this plan, and we are  
7 prepared to work together to make this plan work.

8 Q. Turning to Question 63.

9 MR. MARTEL: Before you leave that, I  
10 read 6 and I read 78(i). What you're saying -- are you  
11 simply saying that people should formally sign that  
12 this is their plan or -- because what this says is if  
13 you document everything over the period of time it  
14 becomes part of the supplementary documentation.

15 What's the difference really of what  
16 you're suggesting and advocating now and what's in 6?

17 MS. DUBE-VEILLEUX: Well, the  
18 supplementary documentation in a plan -- I could write  
19 a letter personally and it would become part of the  
20 supplementary documentation of the plan and this is an  
21 open process here.

22 I think what we are suggesting is that  
23 given the time and effort these people have taken to  
24 actually help in the preparation of the plan and given  
25 the -- certainly the perception of the public is going

1 to be that these people are responsible and working on  
2 representing their views, at the end of the plan -- in  
3 fact I would think that the company would be quite  
4 happy to have these people say, put their signature on  
5 there too as a group saying that they have not -- I'm  
6 not saying that they would take the place of the  
7 minister in signing this off, only that they would be  
8 recognized as having been a part of this process.

9 MR. MARTEL: Yeah. I guessing what I'm  
10 asking though, it seems to me we're just splitting  
11 hairs here.

12 One says there shall be a report that  
13 shall be part of the supplementary documentation by the  
14 committee itself, it is not a lose letter from someone  
15 else, it is an actual report of the planning committee  
16 per se that forms part of the documentation, the  
17 supplementary documentation.

18 I'm simply asking, what's the difference  
19 between that and signing something as though it's your  
20 own that you were involved when, in fact, your report  
21 will stand on its own. Are we talking about a fine  
22 hair there between the two?

23 MS. DUBE-VEILLEUX: No, no, we are not.  
24 It would be a signing to show formal acceptance of this  
25 plan.

1 MR. MARTEL: What's that mean?

2 MS. DUBE-VEILLEUX: Basically what it  
3 says is these people are taking responsibility almost  
4 for the effective implementation of this plan.

5 MR. MARTEL: But they're not responsible  
6 for the plan, as I understand it. The responsibility  
7 for the plan will be the plan author, because somewhere  
8 along the line the bucks got to stop somewhere and it's  
9 going to rest with the plan author.

10 Now, are you attempting to take the role  
11 of the plan author who has the responsibility for the  
12 plan? And that's what I'm trying to get at, and that's  
13 what you seem to be saying to me.

14 MS. DUBE-VEILLEUX: I'm sorry if it  
15 sounds that way, that is not the intent of the  
16 statement.

17 The idea of signing a formal acceptance  
18 of this plan I would believe shows a partnership, is  
19 really what I'm trying to come to, that the partnership  
20 that has worked to produce -- to help the plan author  
21 is now formally accepting it, and I believe that maybe  
22 the form of the report would just show that.

23 MADAM CHAIR: You also believe that that  
24 would be an incentive for people to take responsibility  
25 very seriously and not to disclaim it at the end of the

1 exercise?

2 MS. DUBE-VEILLEUX: Exactly.

3 MADAM CHAIR: And disassociate themselves  
4 with it.

5 MS. DUBE-VEILLEUX: Exactly, and that's  
6 what I meant when I said that these people then would  
7 actually be helpful in implementing the plan, not that  
8 they are responsible for it, only that they would feel  
9 an ownership of it and see it in their best interest to  
10 make this plan work.

11 It's perhaps the incentive to do the best  
12 that they can do too.

13 MR. O'LEARY: Q. Moving along to  
14 Question 63 on page 39 of the witness statement, Ms.  
15 Dube-Veilleux, you indicate at the third paragraph that  
16 your experience is that:

17 "Much of the information in the timber  
18 management plan is not comprehensible to  
19 an average lay person."

20 Can you provide us with any examples of  
21 this?

22 MS. DUBE-VEILLEUX: A. Well, I think --  
23 I believe we have mentioned different times about  
24 the -- well, for example, we have part of the Red Lake  
25 plan here. It would be very difficult for any member



1 of the public to realize that is only a portion of the  
2 plan, but to open that up and to understand everything  
3 that is written in there - and I'm not even suggesting  
4 that they should understand all the tables and the MAD  
5 counts and all the rest of it - only that it is not  
6 presented, and it's not intended I'm sure to be  
7 completely understood by every member of the public,  
8 only that I would think the public would expect some  
9 statement or some report within that that would show  
10 how all their interests have been addressed in this  
11 plan, taking into account all the non-timber values and  
12 the other, the economic values of, for example, the  
13 tourism industry, the economic impacts of -- that would  
14 be engendered by this plan, not only for the five years  
15 but also looking through the 20-year period and  
16 ultimately the period of the rotation.

17 I think that is what the public would  
18 expect to see, and I don't feel that, the way it stands  
19 now, that that whole package is readily available for  
20 the public to see in the plan, that they know is going  
21 to affect them for a long time.

22 Q. Turning to Question 64, Mr.  
23 Alexander, the very next page, you indicate that you  
24 have viewed operations where extensive wastage of wood  
25 is evident.

1 Can you provide us with some examples of  
2 what you're talking about in this regard?

3 MR. ALEXANDER: A. Well, I guess if you  
4 look at my response in one of our terms and conditions  
5 that deals with wood wastage.

6 I have in fact viewed thousands of cords  
7 of wood that were left in the bush and I'm not talking  
8 about wood that was left scattered here and there, I'm  
9 talking about piled filed wood and I have to repeat it  
10 again, thousands of cords not just a few cords.

11 To me if you want to have public  
12 confidence in timber management, then these types of  
13 things should not happen, there should not be that wood  
14 wastage. And there's other examples of garbage left.

15 Q. Do you have any examples, Mr.  
16 Alexander, of other types of non-compliance that you  
17 have encountered or witnessed?

18 A. Yes, I have, and as a matter of fact  
19 I have brought some with me. And I'm sorry I wasn't  
20 aware that I had to make 14 copies of this or however  
21 many numbers are required to make an exhibit of this,  
22 but what this is - and certainly I guess I could get  
23 more copies of it - this is a picture of some garbage,  
24 and I don't know how I should do it.

25 Q. Can I ask you: Do you have an

1 approximate date when that picture was taken?

2 A. That picture was taken in the summer  
3 of 1989.

4 Q. And was it taken by yourself?

5 A. It was taken by myself and what it is  
6 is - and I have a sample of it, and I'm sorry I didn't  
7 bring 14 of these here - but it happens to be a bag  
8 that's used forestry planting and it was placed there  
9 by the people that done the tree planting, and you can  
10 see it says on the bottom of it, the Ontario Ministry  
11 of Natural Resources, Plant Well Today for Tomorrow's  
12 Needs.

13 As I say, I took that photograph in 1989.  
14 I made three requests to have that garbage picked up,  
15 it was enough to fill a large dump truck, and the last  
16 time I requested it was some four months ago, always  
17 verbally, verbal requests, and to this day it is still  
18 there, it has not been picked up yet.

19 So this all goes back to the public  
20 having trust in the system, in the process and within  
21 their concerns being addressed.

22 I can cite you another case, and just  
23 going back to that, perhaps some people might view a  
24 dump truck load of tree bags as being minimal, it's not  
25 a big deal, but for someone like myself who has been

1 involved in the Federations's Pitch in Campaign that  
2 has taken bus loads of children out trying to teach  
3 them kids to pick up garbage and not litter, it makes  
4 things very difficult for me and bothers me greatly  
5 when I see the bags that were left there. Now, in this  
6 particular case the tree planting was done by the  
7 company, it's my understanding it was done by the  
8 company, but it makes things it very difficult.

9 One other incident I would like to  
10 indicate to you happened just recently, last fall when  
11 I was moose hunting and as I paddled up a creek I come  
12 on to an opening in the bush where the timber had been  
13 cut right down and it was clear to the lake, and this  
14 greatly disturbed me because the lake management plan  
15 said there would be no cutting within 120 metres of the  
16 shore.

17 So immediately I -- not immediately, but  
18 a month later in November of this year I went to the  
19 MNR office and asked why this had happened and what the  
20 situation was, and the answer I got was: Well, they  
21 had been following the lake plan which said that you  
22 could not cut within a 120 metres of the high water  
23 mark.

24 The particular area that I had found, in  
25 fact they hadn't cut closer than 120 metres of the high



1 water mark but they had cut all the timber and it was  
2 grass and shrub there, but they really hadn't violated  
3 the plan, though it was wide open to the lake now, they  
4 created access and destroyed the aesthetics of it, they  
5 hadn't violated the particular plan.

6 So this particular lake was 3,000 miles  
7 in size and I felt that we had always protected this  
8 lake and the remoteess of it was protected and all of a  
9 sudden now there is difference between a 120-metre no  
10 cut reserve and 120 metres from the high water mark. I  
11 didn't know that this standing timber didn't have to be  
12 left as long as they stayed back 120 metres from the  
13 high water mark and there was a difference there.

14 So the MNR did in fact change, they said  
15 now it's going to have to be 120 metres of standing  
16 timber.

17 And I enquired about another area that  
18 was right close by where I felt there was a violation  
19 and they said: Yes, in that particular case there was  
20 a violation, and from what happened there was the  
21 cutter simply cut to the left of the ribbon rather than  
22 to the right of the ribbon and he cut too close to the  
23 shore. And I said: Well, is there going to be charges  
24 laid on that. And the answer I got was: Well, no,  
25 there won't be, because these are minor occurrences and

1 if they only happen a few times we don't get too  
2 concerned about that unless it's a blatant disregard of  
3 the timber management plan.

4 He said, we did -- we made the company  
5 replant that particular area of course, but they were  
6 going to do that I guess anyway, but this does not  
7 place any confidence in anybody, and I felt when I left  
8 there that surely the public is not expected to troll  
9 3,000 mile of shorelines to see if there is compliance  
10 out there and see what is happening.

11 Q. Mr. Alexander, turning to --

12 MADAM CHAIR: Excuse me, Mr. O'Leary, are  
13 we making this photograph an exhibit?

14 MR. O'LEARY: Yes, I meant to do that,  
15 with your leave of course.

16 MADAM CHAIR: This will become Exhibit  
17 2033 and Mr. Alexander has given it the title: Leether  
18 Lake Road, and the photo was taken by him.

19 MR. ALEXANDER: Yes.

20 MADAM CHAIR: In the summer of 1989.

21 Excuse me, and the photo depicts a pile  
22 of tree planting bags left in the bush.

23 MR. FREIDIN: And the number, Madam  
24 Chair.

25 MADAM CHAIR: 2033.

1 MR. FREIDIN: Thank you.

2 ---EXHIBIT NO. 2033: Photograph taken by Mr. Alexander  
3 in summer of 1989 depicting pile  
4 of tree planting bags left in  
bush.

5 MR. O'LEARY: Q. Mr. Alexander, could  
6 you now turn to Question 65, and there you indicate in  
7 response to a question about conditions 212 and 213  
8 that you support these conditions.

9 I would ask you to advise us whether  
10 whether or not you formed an opinion as to the  
11 anticipated effect of these two terms and conditions as  
12 they were put into forests?

13 MR. ALEXANDER: A. If I could just have  
14 a minute to find it.

15 Q. Sure. And you will find that terms  
16 and conditions 212 and 213 are at page 36 of the  
17 Coalition's --

18 A. This deals with the post-operations  
19 report that we are suggesting in the terms and  
20 conditions that the company would have to supply and  
21 that post-operations report would deal with the  
22 compliance.

23 Q. I just wonder perhaps, do you have  
24 the Coalition's terms and conditions in front of you?

25 A. Yes.

1 Q. Exhibit --

2 A. Yes, from page 36.

3 Q. Yes. And 212, 213.

4 A. Oh, yes. I'm sorry. Well, I guess  
5 it goes back to the wood wastage that I was talking  
6 about, and to me I think this would create a reduction  
7 in the amount of wood waste and I think the company  
8 would take greater care in harvesting in a better  
9 utilization if these terms and conditions were  
10 followed.

11 Q. All right. You also indicate that  
12 the Coalition's terms and conditions 110 through to 118  
13 would also be valuable to ensure greater compliance.

14 If you could turn to those and perhaps  
15 provide us with your comments as to why you are of that  
16 belief?

17 A. 110.

18 Q. Yes, to 118.

19 A. I think just one other point on that.  
20 It's my understanding that the company pays stumpage on  
21 wood delivered to the mill and they do not pay stumpage  
22 for the wood that's left there, and that is part of my  
23 concern. I think it's addressed.

24 Oh yes. This one here deals with the  
25 company to prepare a post-operations report to deal



1 with the compliance, and I think that is -- to me it's  
2 crucial that the company would have to go out and  
3 produce a post-operations report of timber management  
4 activities, produce that report, give it to the MNR,  
5 circulate it to the public, so that people can have a  
6 look at this and say this is how we have followed the  
7 plan and compliance could be checked for much easier  
8 that way, and I think it would be followed much greater  
9 that way if company had to produce such a report.

10 I don't think that they have the bags  
11 that I just showed you what was done.

12 MR. MARTEL: How does that work with  
13 respect to the first, when you start a new timber  
14 management plan you're going to look at past  
15 operations, as I understand it, there is going to be a  
16 section of every past operations included, that would  
17 not include the material that you're requesting here?

18 I guess what I'm asking, what's the  
19 difference between what you're asking and what is  
20 supposed to be forthcoming some time down the road?

21 MR. O'LEARY: Mr. Martel, if I might just  
22 draw to your attention that term and condition 112 of  
23 the Coalition states that post-operations reports shall  
24 be submitted for all TM activities performed no more  
25 than six months following completion of the activities.

1 It's somewhat identified and addressed there, I  
2 believe.

3 MR. MARTEL: My concern is -- Mr.  
4 Freidin?

5 MR. FREIDIN: If I might, the report of  
6 past forest operations on timber management plan that  
7 has been described as part of a plan describes what's  
8 happened over the previous three to five years,  
9 identifies problems and issues and that sort of thing.

10 This is a requirement that the OFAH or  
11 Coalition are suggesting is somewhat different.  
12 Whenever you go out there and operate, the company  
13 should prepare a report, prepare some documentation of  
14 what happened, all the details set out here within six  
15 months of the operation.

16 MR. MARTEL: Now, what's the difference,  
17 the outcome I mean. Yours is short term, as I  
18 understand it and, Mr. Hanna, and your request is six  
19 months, at the end of six months.

20 MR. O'LEARY: Mr. Martel, there is a  
21 section --

22 MR. MARTEL: I mean, if you're looking  
23 for an evergreen agreement, you better have it done  
24 properly in the first place or you are not going to get  
25 the evergreen agreement; are you?

1 MR. O'LEARY: There are provisions under  
2 section 2.4 of the Coalition's terms and conditions  
3 which deal with the report of past operations which  
4 relate to the prior timber management plan.

5 MR. MARTEL: Yes. And all I'm asking is,  
6 do they lead to the same thing. If you don't comply  
7 under the operation of past operations, and if that's  
8 what you're telling me, fine, I'm just trying to  
9 enquire what the effects of the past operations lead  
10 to.

11 If you don't get by that -- you don't get  
12 your licence to operate for another five years if you  
13 don't comply with the terms and conditions that you  
14 agreed to when you reached the FMA.

15 MR. O'LEARY: And I think that the term  
16 and condition 112 is attempting to address future  
17 operations.

18 MR. MARTEL: Quicker.

19 MADAM CHAIR: No, I don't want to get  
20 everyone mixed up, but I thought what Mr. Alexander was  
21 saying is that if you require a post-operations report  
22 six months after an activity takes place in the bush,  
23 if there's any violation or anything that went wrong it  
24 can be corrected.

25 MR. ALEXANDER: The ones that could be

1 corrected could be corrected and there may be some - I  
2 mean, I have been out in the bush with foresters and  
3 biologists and found that lead blocks were not as long  
4 as they were supposed to be and no charges were laid.

5 I mean, if they had to do a compliance  
6 report, if they physically had to go out there and look  
7 at it. I can show you areas where there are 500 gallon  
8 oil pails scattered all over the bush.

9 And if the company had to prepare a  
10 post-operations report when they went out there to  
11 inspect that, I'm sure they would pick that up before  
12 they said: Here's our report and we're done. In this  
13 particular case, no, they're still there.

14 MADAM CHAIR: Mr. Freidin, could you  
15 remind the Board in the area inspection process with  
16 respect to post-harvest inspections, they take place  
17 within which period of time?

18 MR. FREIDIN: I can't recall.

19 MADAM CHAIR: There is an area inspection  
20 process but I don't think that it has the same--

21 MR. O'LEARY: If I might --

22 MADAM CHAIR: --timing as this.

23 MR. LEDERER: If I might -- with leave,  
24 may I ask if it would be appropriate to ask Mr. Hanna  
25 if he could help us out a little bit on this, given my



1 recent involvement here. He might have some words of  
2 wisdom from the past and could help identify some of  
3 the concerns you've mentioned, Mr. Martel.

4 MADAM CHAIR: Go ahead, Mr. Hanna.

5 MR. HANNA: Madam Chair, the purpose of  
6 these terms and conditions are to supplement the area  
7 inspection process. The area inspection process, as  
8 you know from the evidence, is a sample process, when  
9 the Ministry happens to go out they they sample  
10 different sites and whatever.

11 The purpose of this is that every site  
12 for which an activity takes place, there has to be a  
13 report prepared. What the inspection process would do  
14 would then take those compliance - if you want to call  
15 them compliance reports - and then would sample those  
16 and see if they are being accurately recorded in terms  
17 of the compliance that's taking place on the sites.

18 So it's a way to use the Ministry's  
19 limited resources in the most efficient way possible.  
20 So you have a compliance report there, here's what the  
21 company says the compliance is, and then when you do  
22 your inspection you look at sample sites, see the  
23 sample sites based upon what the compliance report was  
24 and, therefore, obviously if the compliance report  
25 isn't in compliance there would be some discussion.

1 But that's the gist of what's being  
2 proposed by the Coalition.

3 MADAM CHAIR: Thank you, Mr. Hanna.

4 MS. SEABORN: Madam Chair, just for the  
5 record, I would like to say I'm not sure my client  
6 would agree with that exact characterization of the  
7 area inspection process.

8 So rather than myself trying to give  
9 evidence on that point, I will leave it at that. But I  
10 just wanted to alert the Board to that.

11 MADAM CHAIR: Thank you, Ms. Seaborn.

12 Go ahead, Mr. O'Leary.

13 MR. O'LEARY: Thank you, Madam Chair.

14 Q. Mr. Alexander, where you have noticed  
15 or encountered non-compliance incidents, what is your  
16 view as to the number of times that the prosecution has  
17 taken place; is that a common occurrence?

18 MR. ALEXANDER: A. Well, I think I  
19 mentioned -- I mentioned the litter which is a  
20 compliance problem to me, I mentioned the fact that the  
21 leave block wasn't as large as what it was, I mentioned  
22 the fact of violation of cutting too close to the shore  
23 because they cut on the wrong side of the ribbon.

24 In them three incidences there was no  
25 charges. As a matter of fact in the one case the

1 answer I got on the leave block being too small -- when  
2 I asked if there was going to be charges laid, the  
3 answer I got was: That's not the way it's done in this  
4 district.

5 Q. All right. Now, in response to  
6 Question 63, Ms. Dube-Veilleux supports in her response  
7 the needs for woodland workers training.

8 And I would ask you, Mr. Alexander,  
9 whether you have any examples that would support this  
10 need and the inclusion in the terms and conditions for  
11 such a provision?

12 A. Well, I guess if I go back to the  
13 ribbon situation where the cutter had simply went on  
14 the wrong side of the ribbon, that may not be the only  
15 errors that cutters actually make, there are others,  
16 and I think if there was training involved in woodland  
17 workers we might not see these types of things.

18 Q. Now, Ms. Dube-Veilleux, in response  
19 to Question 65 you indicate that tourist operators at  
20 the present time do not have an easy or effective means  
21 to pursue non-compliance by logging operators.

22 Do you have any specific proposals in  
23 mind that would address that problem?

24 MS. DUBE-VEILLEUX: A. Certainly the  
25 tourism industry is often very adversely affected by

1 activity that happens after a negotiated agreement or  
2 where there has been no negotiated agreement on the  
3 type of prescription.

4 I believe that we have had experience  
5 with both types, one where the operator -- the tourism  
6 operator and the lumber operator have come together on  
7 developing prescriptions that just don't work,  
8 unfortunately with the best possible will and  
9 everything else they just haven't worked, but the  
10 effects of that type of thing are just as long term on  
11 it as the effects of something that just hadn't been  
12 properly planned.

13 However, in following closely, then  
14 sometimes the damage can be fixed as we go along or  
15 mitigated to some extent.

16 Q. Sorry.

17 A. Please help me. Would you repeat the  
18 question, please.

19 Q. I was just asking, have you any  
20 specific proposals which would deal with your concern  
21 that there's no effective means to pursue the logger  
22 that has failed to comply with the various  
23 requirements?

24 A. At this point, short of actually  
25 reporting the problem, there's not a lot that the



1 tourism industry can do.

2 Q. You've identified it as a concern?

3 A. It is definitely a concern.

4 Q. Mr. Alexander, if you turn to your  
5 response to Question 68 at page 42 of the witness  
6 statement, you discuss some of the limitations and  
7 current information available on fish and wildlife  
8 resouces.

9 Can you provide us with some examples of  
10 the limitations in terms of current understanding?

11 MR. ALEXANDER: A. Well, I guess we can  
12 go back to my earlier comments about the stated goal is  
13 to supply timber to the mill and that is where the  
14 funds are generated, in gathering information for that.

15 Sufficient funds are not available to  
16 collect the data for all the other things that are out  
17 there, and I speak particularly in fish and wildlife  
18 concerns, and one of the problems with the fisheries  
19 is, in walleye in particular, they spawn in the spring  
20 of the year and in most cases -- or in lots of cases  
21 the lakes are not open at that time, it's only open at  
22 the spawning areas and where the creeks are, and unless  
23 you rent a helicopter you cannot go in there and  
24 determine where these fish are spawning. And that type  
25 of information is not collected.

1                   The money may be spent to gather  
2           technical information required for harvesting of  
3           timber, but they don't gather it for -- or they don't  
4           spend it to get a helicopter to fly in there to find  
5           out where these fish are spawning.

6                   And I have brought with me another map  
7           that I would like to show you. It's a very, very large  
8           map and I'm not sure -- where would be a good place to  
9           put it, but... I think it backs up what I'm trying to  
10          say.

11                   And, again, I'm sorry I don't have 14 of  
12          these or anything, but what it is it's a values map and  
13          I think you're aware that the Coalition has been asking  
14          the Ministry to produce a values map, and this is one  
15          that was given to me for the West Caribou Management  
16          Unit, which is not -- basically not a road accessible  
17          unit. It has a road that runs up from Sioux Lookout  
18          and it goes up eventually to Pickle Lake and the unit  
19          itself is in here, and they have a real nice legend.

20                   I mean, the Ministry have done a real  
21          nice job on here, they have done some good art work on  
22          it and I guess this is going to be a model for other  
23          values maps, and they have little pictures of  
24          airplanes, little pictures of boats and little pictures  
25          of docks and little pictures of cottages, all the

1 physical things that are easy to identify on this map  
2 all over, and probably each and every one them is  
3 there, but some of the other concerns -- like they show  
4 the lake trout and they show walleye spawning beds.

5 Well, if you look at the size of this  
6 area and these little green marks here you will see  
7 in - the green marks are mine - you will see that  
8 there's eight of them and what they are is walleye  
9 spawning beds.

10 Well, if you can only identify eight  
11 walleye spawning beds in an area of that size, it  
12 clearly indicates to me that you have not collected the  
13 necessary data to look after the concerns of the  
14 walleye when you're going to prepare a timber  
15 management plan.

16 I can say the same thing with the raptor  
17 nests. They are the red marks and there's three of  
18 them. And I'm sure everyone would agree that there are  
19 more than three eagles nests in that particular block  
20 of land. And the heron rookeries, there is one of  
21 them. And, again, I'm sure there's more than that.

22 Now, it's not that I expect them to  
23 identify each and every one of them, but what they do  
24 is, this is I guess the first kick at the cat on a  
25 values map and I gather then this will be given to the

1 public and the public will be asked to add their things  
2 on to it.

3 But the bottom line is the public can't  
4 get into these places, this is not a road accessible  
5 unit, and until we start harvesting timber, which I  
6 think we are - how many years we are from harvesting  
7 regenerated timber - we are not going to know these  
8 things.

9 So the public cannot come in and say:  
10 Yes, there's a spawning bed here and there's an eagle's  
11 nest here, because the public has no way of getting  
12 into that unless they own an airplane. The only thing  
13 the public can identify is something along the road or  
14 along the shoreline, on a lake or river that they can  
15 get in there.

16 So to produce this -- I mean, it's great,  
17 I think it's a great first step but there needs to be  
18 more data collection and if you give this to the public  
19 you have to show them more than what you're showing  
20 them there.

21 Q. Mr. Alexander, can I ask you just to  
22 remain there for a second. I see there's a a line that  
23 starts towards the top righthand side of the map and  
24 works its way down towards the middle.

25 Can you identify that, is that a road?



1 A. Yeah, that's the road I think that  
2 comes out from Savant Lake.

3 Q. All right. And do you have any  
4 opinion as to why the various habitat sites you  
5 referred to are identified and all seem to appear as  
6 being close to that road?

7 A. Well, no. I have to look at this a  
8 little closer. I have trouble with my eyes when I get  
9 a long distance from my glasses.

10 Q. I have a severe disadvantage from the  
11 other side of the room. But am I characterizing that  
12 correctly that they all appear to be within a short  
13 distance of the road?

14 A. Yeah, I guess you are, but I can't  
15 say for sure that's the road. There's an old logging  
16 road in here and that's a solid line. No, that  
17 particular -- that is a canoe route, that particular  
18 one. So I guess it would be identified because that's  
19 a canoe route and it's close to the canoe route.

20 MR. MARTEL: How would you identify  
21 those? Would you walk the area to identify the various  
22 spawning beds or to find the raptors nests, or...

23 MR. ALEXANDER: I think raptors nests are  
24 probably easy to identify from airplanes, at least I  
25 think when pilots are out flying, MNR pilots, and

1 people flying for the MNR, I think they can quite  
2 frequently see eagles in the sky or they can see where  
3 the nests are, and sometimes if someone is going by  
4 they could stop and check to see if in fact there was a  
5 nest there.

6 As far as the walleye spawning beds go,  
7 I'm not a biologist, but you can -- you can have a  
8 pretty good idea of where they might spawn, and I think  
9 you could go in with a helicopter and check them areas  
10 at the right time of the year without having to cover  
11 the whole lake.

12 I mean, you don't have to identify all  
13 the shoal spawning fish and that type of thing, but I  
14 think you should be able to identify the ones that are  
15 spawning in the creeks.

16 And I note, I think in MNR term and  
17 condition 11 and 12 when they talk about soliciting  
18 public input for this type of thing, if I was to come  
19 into MNR and say: Look it there, I was in here, I  
20 can't get there the first or second week in April when  
21 the walleye were spawning because it's still closed up,  
22 but I was in there two weeks after and suckers were  
23 spawning in there, and not being a biologist, to me  
24 that's a pretty good indication that the walleye would  
25 spawn there too.

1                   But I think that term and condition says  
2           it must be verified by MNR.

3                   MR. MARTEL: No, but I'm saying, you're  
4           suggesting it would be a very systematic approach to  
5           gathering data.

6                   MR. ALEXANDER: There's got to be a way  
7           to do it, yeah.

8                   MR. O'LEARY: Madam Chair, that concludes  
9           the evidence-in-chief, subject to any questions that  
10          you or Mr. Martel may have, of course.

11                   MADAM CHAIR: No, we don't.

12                   Mr. Cassidy --

13                   MR. O'LEARY: We should mark that as an  
14          exhibit perhaps, Madam Chair.

15                   MADAM CHAIR: Yes, we will mark it as our  
16          next exhibit, which would be No. 2034, a values map of  
17          the Caribou West Management Unit.

18          ---EXHIBIT NO. 2034: Values map of Caribou West  
19                                   Management Unit.

20                   MR. ALEXANDER: When you introduce  
21          something you lose it for an exhibit, I guess that  
22          means you don't get it back, is that what it means?

23                   MADAM CHAIR: No, if we could borrow it  
24          from you, we will make a copy of it and send yours back  
25          Mr. Alexander.

1 MR. ALEXANDER: Because I do have another  
2 one. I heard counsel say we were finished.

3 And you have to understand, I mean, I'm  
4 am genuinely concerned about this whole process and  
5 what's been taking place for the last few years and I  
6 don't mind giving up a week of my time to come down  
7 here and tell you my side of the story.

8 There's some things that people in  
9 northern Ontario don't generally let out and that might  
10 be where they catch big fish or where they shoot big  
11 moose.

12 So although I'm quite prepared to spend a  
13 week down here and let you hear my side of the story,  
14 to me the ultimate sacrifice for me is to put this map  
15 up here understand that it is a public document.

16 MR. FREIDIN: You can ask Mr. Sutterfield  
17 to leave the room.

18 MR. ALEXANDER: What this is, it's a map  
19 of the Anenimus River and it happens to be where I and  
20 my friend go moose hunting and have for the past,  
21 better than 20 years, and what this map is, is we have  
22 taken the time over the years to indicate each and  
23 every area where we have managed to shoot a moose  
24 during the hunting season, and on close examination of  
25 this map, and you will see all the tiny little marks on



1 here, well, they are all moose and we are considered to  
2 be fairly successful at this and I think one of the  
3 reasons we're successful is because we've kept track of  
4 things like this.

5 And if you note, on each and every one of  
6 these virtually there's a little creek coming in, there  
7 are weed beds associated with most of them areas, and  
8 these every generally where you will find the moose.

9 Now, to me these moose areas where you  
10 see them all the time and where the weeds are are what  
11 I would call moose aquatic feeding areas, and although  
12 on this values map they mention the moose aquatic  
13 feeding areas there is not one of them identified in  
14 her.

15 Now, this particular area here has been  
16 logged recently within the past few years and there's a  
17 number of moose corridors. This is all cut off in  
18 through here and in through here, and they have left a  
19 number of moose corridors.

20 In my opinion in studying the moose  
21 corridors they do not connect from these areas where  
22 the moose are travelling back and forth to get to what  
23 I call the moose aquatic feeding areas, and this is the  
24 type of thing that I think that needs to be identified.  
25 You need to know where the moose are feeding, where

1       them moose are travelling and them corridors have to go  
2       some place, they can't just go from point A to point B  
3       and be left as timber standing and be called moose  
4       corridors, they have to serve a better purpose.

5               So I don't know what else more I can say  
6       about that. But to me it's -- this is a type of  
7       information that the MNR needs to collect to show that  
8       them corridors are going to go some place.

9               MR. O'LEARY: Perhaps we could also give  
10       that map an exhibit number, Madam Chair.

11              MADAM CHAIR: Did you want to leave that  
12       map with us, Mr. Alexander?

13              MR. ALEXANDER: I guess I don't have much  
14       choice in that matter.

15              MADAM CHAIR: Well, you have a choice if  
16       the parties don't insist that it be made an exhibit. I  
17       don't know what you want to do.

18              MR. O'LEARY: We can probably get a copy  
19       of that one made pretty easily. I don't think it's a  
20       problem,

21              MR. ALEXANDER: I did get some copies of  
22       it made, but of course they're on a very small scale  
23       and they don't show it as good as what that one does.

24              MADAM CHAIR: All right. Shall we make  
25       this Exhibit 2035.

1 MR. O'LEARY: Could we mark the copy, if  
2 we have it available, could we mark that as the exhibit  
3 then?

4 MADAM CHAIR: Oh, of course.

5 MR. FREIDIN: Does the copy indicate  
6 where it is, Mr. Alexander?

7 MR. ALEXANDER: Well, it's the Anenimus  
8 River and that's in the Lac Seul timber management  
9 area.

10 MR. FREIDIN: Thank you. How do you  
11 spell Anenimus?

12 MR. ALEXANDER: A-n-e-n-i-m-u-s.

13 ---EXHIBIT NO. 2035: Copy of map produced by Mr.  
14 Alexander depicting Anenimus  
River.

15 MADAM CHAIR: You're finished with your  
16 examination?

17 MR. O'LEARY: I believe so now. Thank  
18 you, Madam Chair.

19 MADAM CHAIR: Thank you, Mr. O'Leary.  
20 Thank you very much witnesses.

21 Mr. Cassidy, how long will you be in  
22 cross-examination?

23 MR. CASSIDY: After Mr. Baeder, I propose  
24 to be about an hour or less.

25 MADAM CHAIR: How long will you be, Mr.

1 Baeder?

2 MR. BAEDER: 15, 20 minutes, that's all.

3 MADAM CHAIR: I guess you will be  
4 starting this afternoon. You might be starting this  
5 afternoon as well, Mr. Cassidy.

6 MR. CASSIDY: That would be fine. I'm  
7 prepared to start.

8 MADAM CHAIR: You're all set to go.

9 MR. CASSIDY: And in fact if we arrive at  
10 four o'clock, or whatever the appropriate time is, can  
11 I just ask the Board's indulgence to sit through so  
12 that I don't have to split my cross-examination.

13 MADAM CHAIR: Thank you, Mr. Cassidy. We  
14 will have our afternoon break now and be back in 20  
15 minutes.

16 ---Recess at 2:50 p.m.

17 ---On resuming at 3:20 p.m.

18 MADAM CHAIR: We were told over the break  
19 that everybody in the City has gone home, except us.  
20 Is anyone in a situation where they have to leave early  
21 because of this snow storm.

22 (no response)

23 Well, we will continue then.

24 Our friends from the north are used to  
25 this kind of weather, so it's nothing.



1                   Would you like to begin your  
2 cross-examination, Mr. Baeder?

3                   MR. BAEDER: Thank you.

4                   CROSS-EXAMINATION BY MR. BAEDER:

5                   Q. The questions I have are for Dr.  
6 Neuman. You've had an opportunity to sit back while  
7 the other two panel members were being examined.

8                   Dr. Neuman, let me just explain who I am  
9 and who I represent. My name is Michael Baeder. I  
10 represent Nishnawbe-Aski Nation and the Windigo Tribal  
11 Council. This is an amalgam of communities, First  
12 Nation native communities, reserves located in  
13 northwestern Ontario north of the 50th parallel.

14                  An example of some of the communities,  
15 just to give you some background, would include  
16 reserves at Osnaburgh, which in fact is identifiable on  
17 that last exhibit, the map of the Caribou West  
18 Management Unit, as well as Savant Lake, which is not a  
19 reserve status, Cat Lake and Slate Falls.

20                  Now, the first question to you is: I  
21 take it you have no familiarity with the communities of  
22 which I speak.

23                  DR. NEUMAN: A. That's correct, I do  
24 not.

25                  Q. And I take it, or would I be correct

1 in assuming that you haven't visited or visited a  
2 reserve either anywhere in Ontario or in Canada?

3 A. That's correct.

4 Q. And I take it, based on your  
5 experience, your professional experience - if I can use  
6 the word - as a pollster, you've had no -- you've done  
7 no polling of First Nations communities across Canada?

8 A. That's correct.

9 Q. Now, what I would like to go to, it's  
10 Exhibit 2025 which are the copies that you have  
11 provided of the 1989 National Survey Canadian Public  
12 Opinion on Forestry Issues.

13 These are copies of, I believe, the slide  
14 presentation that you gave yesterday?

15 A. That's right. There may be  
16 information there that is not specifically part of my  
17 slide presentation but were still part of the same  
18 survey.

19 Q. Okay. And I take it from just  
20 turning to the -- the pages aren't numbered, but the  
21 first page, past the title page, you or Environics was  
22 retained by Forestry Canada, that's a department of the  
23 Federal Government?

24 A. Yes, and I was employed with  
25 Environics at the time so I was, in fact, responsible

1 for putting this presentation together as well as doing  
2 the research.

3 Q. And as I see the purpose as stated  
4 was to acquire, and I underscore here, solid  
5 information about public opinion on forestry issues.  
6 That was the retainer?

7 A. Yes? A. They don't use the word  
8 retainer, but yes.

9 Q. Using my term.

10 A. Yes.

11 Q. A term that I'm more familiar with in  
12 terms of retainer, that was the purpose--

13 A. Yes.

14 Q. --for which you were contacted by  
15 Forestry Canada, I mean with others and in conjunction  
16 with Forestry Canada to develop the survey.

17 Now, I understand from this that the  
18 survey was a public survey done by telephone?

19 A. That's correct.

20 Q. And if I understood you correct, the  
21 questions were posed in either English or French?

22 A. Yes. The choice being that of the  
23 respondents that we contacted.

24 Q. So that in order to be part of this  
25 survey, I take it, you would have to have a telephone

1 and be listed in some telephone directory?

2 A. Not necessarily.

3 Q. How else would you contact people?

4 A. Well, there are various ways to draw  
5 samples for telephone interviewing. My recollection of  
6 the one that was used in this case was a process by  
7 which telephone numbers were drawn that were not  
8 necessarily actual numbers that were listed.

9 The purpose of not relying on telephone  
10 books are two-fold, there are a certain number of  
11 unlisted numbers, as you know, and there are often  
12 numbers which are published after directories are  
13 provided, phone records are done typically done once a  
14 year, so if one were to rely entirely on telephone  
15 directors you obviously would be missing certain  
16 households.

17 What was done in a case like this was  
18 to - and I wasn't actually the person to sit down and  
19 do this - but the process in essence is to generate not  
20 by random numbers, but by the relevant prefixes in the  
21 various communities and areas across the country in  
22 essence, but then to randomly generate the last four  
23 digits to generate, in essence, random numbers that may  
24 or may not be households.

25 That ensures that there are inclusion of



1 those households that have numbers that are unlisted  
2 numbers. It also involves that we end up contacting a  
3 lot of business and numbers that aren't live, we  
4 simply, you know, sort of don't use that. I mean,  
5 basically realize at the time that those are not  
6 households and don't proceed.

7 Q. So you're attempting to target  
8 households in a random fashion across the country?

9 A. That's right. And I guess it's fair  
10 to say households that have telephones, although I  
11 don't have statistics, but I believe it's well over 90  
12 per cent -- I believe 95 per cent of households have  
13 telephone service. But strictly speaking, it would be  
14 households with telephone service.

15 Q. Sorry. Over 90 per cent, did you  
16 say.

17 A. I don't have the exact figure. I  
18 know it's over 90 per cent.

19 Q. I take it since you've never been to  
20 some of these communities I spoke of, would it come as  
21 a surprise to you if I told you that most of the  
22 communities that I represent there are no telephones in  
23 the reserves?

24 A. That wouldn't surprise me.

25 Q. That in fact the only telephone, if

1       there is telephone service at all to some of these  
2       communities, would be in the band office?

3                   A. That wouldn't surprise me either.

4                   Q. So if there's no telephone, I take it  
5       there's a good chance that the individuals on reserves,  
6       as the reserves that I represent, would not be included  
7       in the survey.

8                   A. That's probably the case. And I  
9       think it's probably fair to say that in the context of  
10      a survey that is intended to cover the country, the  
11      focus from the client's point of view - that is  
12      Forestry Canada - the focus was on getting a national  
13      picture of the general population at large.

14                   Perhaps they recognize that there might  
15      be some small -- some parts of the population that  
16      would be excluded, rightly or wrongly. I think the  
17      sense was for a national study they would be covering  
18      over 90 per cent or more of the population and that, in  
19      essence, that would provide a reasonably good  
20      representation of the Canadian public.

21                   Q. Depending upon how you define the  
22      Canadian public. And if you wanted to get the views of  
23      communities that I represent, then chances are that you  
24      are not going to be reached in this kind of telephone  
25      survey?

1                   A. That's true. I guess the only other  
2 comment I might have is if - again, to emphasize - the  
3 purpose of this study was to get a national -- was to  
4 get, first, a national picture and then, as a sort of  
5 subobjective, provincial picture.

6                   In other words, their aim was to know  
7 what Canadians as a whole felt, but they also wanted to  
8 be able to look at results by each province. Their  
9 particulars did not go below that level of analysis.

10                  And I guess in their defence it's not  
11 usually possible with any particular research project  
12 to equally cover all levels of analysis for any given  
13 project. In other words, there has to be some emphasis  
14 or priority.

15                  In this case, because of Forestry  
16 Canada's mandate and the interest -- the purposes to  
17 which this was to be used, the focus was national and  
18 provincial.

19                  The only other comment that I will make  
20 is that, even if all of the households in the  
21 communities you represent did have telephones and were,  
22 therefore, represented in this particular survey, as  
23 perhaps they might not have, given the numbers, given  
24 the population numbers of those communities, the impact  
25 of the attitudes from those communities of the overall

1 results for, say, Ontario would have been probably so  
2 small, simply because of population size, that I  
3 suspect it probably wouldn't have measurably altered  
4 the actual results that I presented simply based on  
5 population.

6 And that's no comment on whether their  
7 attitudes would be the same or different, but with  
8 these kinds of surveys they are intended to provide  
9 results representative of the population so, therefore,  
10 obviously the larger segments of the population, by its  
11 nature, is going to have an impact.

12 Q. I'm sorry, I didn't mean to interrupt  
13 you.

14 A. No, I'm finished.

15 Q. And I take it that's what  
16 distinguishes the purpose for which this was  
17 commissioned and this kind of a hearing which wants to  
18 hear from, not just Canadians, but people who have  
19 specific interests and have specific issues they wish  
20 to address?

21 A. Yes, that's an important distinction.

22 Q. And also in terms of your survey, as  
23 I understood it, another limiting factor is that if --  
24 I take it that there was nobody doing the survey that  
25 had the ability to speak Oji-Cree, which is the



1 language of the people who I represent?

2 A. No, there was not.

3 Q. And, therefore, I take it that if per  
4 chance -- if per chance one of these statistically --  
5 if it was statistically possible to contact an  
6 individual on a reserve who spoke Oji-Cree, by  
7 definition that person would not be able to respond  
8 because of their inability to converse in that  
9 language?

10 A. Right, or if that individual or  
11 individuals did not speak English or French.

12 I think it's only fair to say that there  
13 was some recognition certainly on our part as  
14 researchers that there would be -- there was no  
15 guarantee that every single Canadian would be  
16 guaranteed participation.

17 I think that in ideal circumstances  
18 that's often the case, but in practice, because of the  
19 costs involved and other factors in terms of reaching  
20 people, typically that's not always possible, and I  
21 think that that -- similar to that I think for this  
22 particular study, just as an example, while it is a  
23 national study, in fact there was no interviewing done  
24 in the Northwest Territories or the Yukon, again partly  
25 because of the cost involved, but also recognition from

1 the population point of view that -- their impact on  
2 their overall results would not be that substantial  
3 because there aren't that many people.

4 That seems to be a typical practice, at  
5 least of Federal Government, when doing national  
6 surveys, whether you agree with it or not.

7 Q. So I gather, and again focussing on  
8 your professional position, and I believe your  
9 background as a sociologist, as I understand it.

10 A. Social scientist.

11 Q. Social scientist, that if you wanted  
12 to obtain the views of a particular community, for  
13 example the communities that I represent, would you not  
14 agree with me that it would be better for a hearing of  
15 this kind to speak directly to the people in their  
16 language to understand what their views are about the  
17 issues?

18 A. Yes, I would agree. But again,  
19 simply to clarify, that the research that I presented  
20 was not set out to get -- to get to specific  
21 populations in particular areas.

22 In the site-specific or local sense, the  
23 purpose of this survey was to get a broad national and,  
24 to some extent, provincial picture.

25 So I agree that, yes, if you one wanted

1 to get the views of specific populations, and in the  
2 case of the ones you represent, if that was a  
3 particular objective of a given exercise, then a  
4 different methodology would be called for.

5 Q. A methodology would be a direct  
6 face-to-face presentation and the language spoken by  
7 the people so that they could convey to, for example,  
8 this panel their concerns?

9 A. Probably. I mean, not knowing more  
10 about your community I guess I hesitate to exclude  
11 other possible ways of doing it, but I would expect  
12 that would probably be the primary way.

13 Q. There are other ways, one could do  
14 satellite television and other kind of communications,  
15 but leaving all of those aside, one -- if not the best,  
16 one of the better ways, or one way would be a  
17 face-to-face presentation with representations either  
18 with direct community participation and through their  
19 representatives?

20 A. Mm-hmm.

21 Q. And I take it -- I don't know if  
22 you're aware of the fact that in fact there was a  
23 presentation on behalf of these communities at Sioux  
24 Lookout a few months ago.

25 A. A presentation by them or for them?

1 Q. By these communities, the communities  
2 I represent.

3 A. To whom?

4 Q. To this panel.

5 A. No, I wasn't aware of that.

6 Q. And that they were in fact  
7 representing what, in fact, were their concerns and  
8 were their views with respect to the MNR plan.

9 A. I wasn't aware of that.

10 Q. So I take it that there's somewhat  
11 limited value -- limited uses to which public opinion  
12 polls can be put; would you not agree?

13 A. Well, that is a very broad statement.

14 Q. Well, they don't necessarily  
15 reflect - I take it from what I understand you to say,  
16 and I don't mean this to criticize you - but in terms  
17 of the way this study is designed, you can't reach  
18 everybody and all of the different communities of  
19 interest, you can't be satisfied that you reached  
20 everybody and all the different communities of interest  
21 so that, in fact, the document that you do produce  
22 reflects the opinions of all of these various  
23 communities?

24 A. Okay. So you're referring  
25 specifically to this study, as opposed to public



1 opinion --

2 Q. I'm just talking about this study.

3 A. Okay.

4 Q. I suppose if you wanted to poll  
5 everybody, I think your term before was you do a  
6 census. If you wanted to get the views -- attempt to  
7 get the views of everybody, you would do a census which  
8 is to approach everybody -- attempt to approach  
9 everybody in the country.

10 A. Or alternatively, if the focuss for  
11 instance of this particular survey that was  
12 commissioned by Forestry Canada, if part of its  
13 objectives were to make sure that every relevant sort  
14 of community or group within a defined area, whether  
15 Ontario or Canada, be identified and bringing out the  
16 specific differences of all these communities,  
17 regardless of size, if that were the exercise, then one  
18 could achieve that, but one would design the study  
19 somewhat differently.

20 That wasn't the purpose of this  
21 particular survey, it wasn't the objective, it wasn't  
22 something it was trying to do. That being said, I  
23 think it's fair to say that the way in which the survey  
24 was designed and carried out was designed to I guess  
25 solicit input from the vast majority of I guess people

1 in Ontario, as well as other provinces who are 18 or  
2 older and, yes, there are some small pockets of  
3 populations and communities that will be excluded.

4 Certainly the client's interest was in,  
5 you know, what amounts to almost, although not  
6 entirely, all the population, and I think they're  
7 certainly satisfied that certainly those views are  
8 represented.

9 Q. Well, they never sat down with you  
10 and said to you, by the way, in this country we call  
11 Canada there is a population across the country--

12 A. Mm-hmm.

13 Q. --in the provinces--

14 A. Mm-hmm.

15 Q. --of a number of First Nations?

16 A. Mm-hmm.

17 Q. Who speak a number of particular --  
18 who speak languages and may not necessarily speak --  
19 for whom English and French may not necessarily be  
20 their first language. That was never presented to you  
21 as a particular community that they wanted you to poll?

22 A. No, they didn't discuss it and --  
23 however, in the context of what the objectives were --  
24 I mean, there's a basic incompatibility. If in fact  
25 they wanted to or felt they could company address that

1 community, those communities, this study might have  
2 been designed a little bit differently.

3 Whether that could have been achieved --  
4 if they were to address that objective nationwide, it  
5 would have required a different design, and  
6 considerably more resources. Whether they actively  
7 considered that alternative or not, I really can't say.

8 Q. Well, for one thing that wasn't  
9 conveyed to you as part of the study?

10 A. Well, clearly not in terms of what  
11 they wanted here, whether they considered it or not...

12 Q. You may or may not know that, but in  
13 any event it wasn't conveyed to you that that was a  
14 particular population that they wanted to hear from  
15 and, therefore, they wanted you to design a particular  
16 survey to in fact address that population?

17 A. Yes. That's true and I just -- to  
18 properly address that population, in addition to the  
19 other populations already covered in terms of the way  
20 it was designed, would have been an extremely difficult  
21 and costly exercise.

22 Q. Without question it would, without  
23 question, given the language and cultural differences,  
24 I can assure you that that is not the way if you want  
25 to hear from these communities, the way you approach

1 it.

2 A. No, it would have to have been done  
3 in a way suitable to those communities.

4 Q. That's right.

5 A. I would agree with that.

6 Q. So I gather then that we can agree  
7 then that this sample, Exhibit 2025, for the short form  
8 is not representative of the views of all Canadians,  
9 particularly it does not include the views of First  
10 Nations?

11 A. Well, it probably -- it would be I  
12 think accurate to say that it doesn't represent the  
13 views of First Nations communities where households  
14 don't have telephones. I suspect there's some First  
15 Nations communities that do have telephones, in which  
16 case they would be included in the sample, but those  
17 that do not would be excluded.

18 Q. Chances are of having a telephone and  
19 being able to speak English -- either English or French  
20 are the criteria included in this study?

21 A. Yes, and I guess that limitation  
22 should be recognized.

23 MR. BAEDER: Those are all the questions  
24 I have, thank you.

25 MADAM CHAIR: Thank you, Mr. Baeder.



1 Mr. Cassidy, do you want to begin?

2 MR. CASSIDY: Yes, subject to my friend  
3 Mr. Lindgren who I notice has arrived. I don't know  
4 whether his intentions are to cross-examine this panel  
5 or not, if so he goes before me.

6 MR. LINDGREN: Madam Chair, FFT does not  
7 intend to cross-examine this panel.

8 MADAM CHAIR: Thank you, Mr. Lindgren.  
9 You're going to be how long, Mr. Cassidy?

10 MR. CASSIDY: I'm going to see if I can  
11 finish by a quarter after four at the absolute latest.

12 MADAM CHAIR: All right, thank you.

13 MR. MARTEL: Because we have to scope yet  
14 today.

15 CROSS-EXAMINATION BY MR. CASSIDY:

16 Q. Dr. Neuman, I wanted to ask you a few  
17 questions on opinion polls or surveys. And I am  
18 following up on some questions which Mr. O'Leary was  
19 talking to you about, the margin of sampling error.

20 DR. NEUMAN: A. Mm-hmm.

21 Q. And as I recall, you were talking  
22 about that, you expressed it in the form of a figure  
23 and it was a percentage. Is that right?

24 A. That's correct.

25 Q. And in fact, as I understand, that

1 can be devised because there are fairly accepted social  
2 science approaches or means by which that percentage of  
3 sampling error can be arrived at. Is that fair to say?

4 A. Yes.

5 Q. Is there something called  
6 non-sampling errors that may or may not occur in  
7 opinion polls?

8 A. Yes, there are.

9 Q. And there are steps taken, I take it,  
10 to try and mitigate against those non-sampling errors?

11 A. That's correct.

12 Q. But those types of errors, as I  
13 understand it, are not necessarily capable of being  
14 reduced to a scientific calculation that can be done to  
15 quantify their presence or absence in a poll; is that  
16 fair to say, it's more difficult to do?

17 A. It's simply -- yes. Well, I think  
18 it's fair to say it's something that can't be simply  
19 quantified, and I expect that that's part of the reason  
20 why the focus on sampling error seems to be so common.

21 Q. That's why you see it on press  
22 reports, they always seem to cite that; don't they?

23 A. Yes.

24 Q. Because it's a figure that people can  
25 grasp; is that right?

1                   A. Yes, exactly. I mean, life isn't  
2 quite that simple. The only other point I would make  
3 is that that's not dissimilar from other kinds of  
4 research in other fields where the accuracy or the  
5 validity of the research, whether it's in biology, or  
6 physics or chemistry or other social sciences, in most  
7 cases you can't boil things down to a simple number or  
8 statistic that simply tells you it's right or wrong.  
9 It's the same with survey research.

10                  Q. So it's these non-sampling errors  
11 that, depending on the success or failure of your  
12 mitigation efforts, could creep in and you're not  
13 always able to quantify the extent to which they creep  
14 into your study; is that fair to say?

15                  A. Well, to say that they can't be  
16 quantified does not mean that they can't be -- one, it  
17 doesn't mean that you can't sort of minimize or avoid  
18 them to some extent, and it doesn't mean that you can't  
19 get some indication of the extent to which they may be  
20 there, but it's not in this cut and dried statistical  
21 sort of fashion that might be in the sampling error.

22                  Q. So you're not able to say with  
23 respect to these non-sampling errors I can tell you  
24 that 99 per cent of the time this is not going to be  
25 there. You can't put a number on it like that; is that

1 right?

2 A. It's just not that simple.

3 Q. Now, a couple of these errors - and  
4 I'm taking generally here and we'll get to your poll in  
5 a mind - but a couple of these non-sampling errors that  
6 I've been told about I just want to run through with  
7 you and one of them that struck me as something called  
8 respondent's fatigue. Are you familiar with that term  
9 or terminology?

10 A. Yes, I am.

11 Q. And does that have to do with a  
12 situation that can arise with the length of a survey  
13 being put to the respondent and that somehow that may  
14 influence the respondent's answer?

15 A. In essence, yes.

16 Q. And this survey was about 30 minutes;  
17 is that right?

18 A. That was an average.

19 Q. I'm told that's a long average. Is  
20 that -- would be that be your characterization of it?

21 A. It is, although I would also point  
22 out that, you know, it's not -- it's something that  
23 we -- the possibility of this kind of bias or fatigue  
24 is something that we do pay attention to.

25 Q. Sure, you take mitigative steps to



1 try and work against that where you have a long survey?

2 A. Yes.

3 Q. Is that right?

4 A. And we wouldn't do a survey that  
5 length if we weren't confident that fatigue wouldn't be  
6 an issue.

7 Q. But once again, if that is a  
8 non-sampling error that you cannot put a number to like  
9 you can the margin of sampling error--

10 A. That's true.

11 Q. --to indicate whether or not it  
12 appears in a survey?

13 A. You can't put a number to it, you  
14 cannot put a number to it.

15 Q. Right.

16 A. But we can certainly get a pretty  
17 good indication if it's taking place. It's not  
18 invisible, it's not something that we have no idea  
19 about.

20 Q. Right. Respondent's fatigue like a  
21 situation, or could it be something like a situation  
22 where the survey goes on so long the person is in a bit  
23 of -- he gets tired or she gets tired and is prepared  
24 to say yes or no just to get the thing over so they can  
25 go back and relax and do whatever they were doing.

1 Is that an example of respondent's  
2 fatigue?

3 A. Yes, it can be.

4 Q. And I've been --

5 MR. FREIDIN: (inaudible)

6 MR. CASSIDY: Sorry.

7 MADAM CHAIR: Did you say, like this  
8 hearing, Mr. Freidin?

9 MR. FREIDIN: I said we tried that on  
10 witnesses.

11 MR. CASSIDY: All right.

12 Q. I've been told about another  
13 non-sampling error, something called auspices bias, do  
14 you know what that means?

15 A. Excuse me, are we finished with  
16 fatigue?

17 Q. I'm moving on to auspices bias.

18 A. May I just make another comment about  
19 fatigue.

20 Q. Sure, go ahead.

21 A. I guess perhaps I feel that I should  
22 make a comment about that, that you are correct in  
23 pointing out that it is a kind of bias that can enter  
24 in, but I don't want the impression being left for this  
25 hearing that that was something which necessarily is

1 the case with a 30-minute interview.

2 It can be. A lot of it depends -- it  
3 depends on -- well, two points I want to make. One, it  
4 depends on how the survey is designed and the nature of  
5 the questions. There are some topics in which you can  
6 keep somebody's interest for 30 minutes quite easily  
7 and other topics you cannot. The way in which the  
8 survey is designed and makes sense and flows also make  
9 a difference.

10 So generally speaking, yes, it can be a  
11 problem and the longer the survey the more likely it  
12 is, but it doesn't mean it necessarily is going to take  
13 place.

14 The other I guess thing that I want to  
15 mention is that, as I indicated yesterday, in the case  
16 of this particular survey and others, we always do  
17 what's known as a pre-test before we go -- we finalize  
18 the survey in the field.

19 Q. Is that a mitigative technique that  
20 you try and do to avoid --

21 A. Well, it's like a dress rehearsal.

22 Q. Right.

23 A. We take the survey, we call a small  
24 sample of individuals, go through it as if it's the  
25 actual survey. One of the reasons that we do that is

1 to find out, for a long survey for instance, if there's  
2 any indication of fatigue.

3 People that Environics and other people  
4 employ to do interviewing are sufficiently trained and  
5 experienced, in most cases, to be able to ascertain  
6 whether an issue such as fatigue is becoming apparent,  
7 if somebody started to rattle off answers and not  
8 thinking about the answers, not answering the  
9 questions and so forth. There are all kinds of ways in  
10 which it becomes apparent whether or not fatigue is  
11 taking place.

12 So there are things that one can do to  
13 totally avoid or minimize the level of fatigue that  
14 takes place. So, you know, yes, it can happen; yes,  
15 there's no statistic that proves yes or no it could  
16 possibly happen, but there are effective ways of  
17 dealing with it.

18 Q. Sure.

19 A. And so it doesn't necessarily mean  
20 that a long survey is going to introduce this kind of  
21 problem.

22 Q. That's the mitigative techniques I  
23 was talking about?

24 A. Well, I don't think mitigative is  
25 quite the right -- mitigative implies that it's sort of



1       trying to fix something that's gone wrong, and what I'm  
2       describing in part is addressing it, you know, sort of  
3       avoiding the problem altogether by properly designing  
4       the survey and methods and so forth so it, you know,  
5       doesn't happen to begin with.

6                   Q.   Okay.  Let's talk about auspices  
7       bias.

8                   A.   Auspices.

9                   Q.   Yes.  Do you know what that means?

10                  A.   I'm not familiar with that term, but  
11       if you describe what it means I will --

12                  Q.   Sure, you're the expert.  Something,  
13       as I understand it, where the respondent may be  
14       influenced by the knowledge of who actually is  
15       sponsoring the survey.  Is that a type of non-sampling  
16       error you're familiar with?

17                  A.   Not by that name.

18                  Q.   Is that concept something that you're  
19       familiar with?

20                  A.   That can -- yes.  I mean, there can  
21       be -- I mean, respondents can be influenced by knowing  
22       who is commissioning the survey.

23                  Q.   Forestry Canada it was made clear to  
24       the respondents here that Forestry Canada was  
25       sponsoring this survey?

1                   A. I think so, but let me -- rather than  
2                   relying on memory, let me just... Yes, that's correct.

3                   Q. And I suppose, since you were the  
4                   designer of the survey, you were satisfied that in some  
5                   fashion that did not bias, did not create what I've  
6                   called auspices bias in the respondents?

7                   A. Yes, for most people and I might  
8                   point out --

9                   Q. What do you mean?

10                  A. Particularly in 1989 very few people  
11                  are aware of -- would not be able to correctly identify  
12                  what Forestry Canada is. It was a new department, in  
13                  fact it didn't officially become a department until  
14                  after 1989.

15                  So it's my judgment that most people,  
16                  that the name Forestry Canada, you know, probably...

17                  Q. Went over peoples' heads.

18                  A. Went over peoples' heads or they  
19                  weren't quite sure who that was, and might have  
20                  associated that with government, but that was the  
21                  extent of it.

22                  Q. But again, in some respects, it's not  
23                  possible for you to assign a quantitative figure like  
24                  you did with the margin of sampling error to that  
25                  potential non-sampling error?

1                   A. No. It really comes down to a  
2 question of professional judgment. And, you know, in  
3 my judgment, in this particular case, that wasn't going  
4 to be an issue.

5                   Q. Okay. Let's move on quickly to  
6 another one, a non-sampling error that I've been about  
7 is something called a non-response error; in other  
8 words, the influence of the people who refuse to  
9 complete the survey or respond. Are you familiar with  
10 that concept?

11                  A. Mm-hmm. Yes, I am.

12                  Q. And again, it's rather difficult to  
13 quantify the level of influence of that error in a  
14 study, unlike the relative ease with which you can do  
15 sampling error calculations; is that correct?

16                  A. For the most part, although one of  
17 the things one can certainly do is compare the  
18 characteristics of the sample population and at the  
19 very least identify whether there are any particular  
20 groups that are unrepresented that comprise significant  
21 proportions of the population.

22                  Q. Do you keep detailed records as a  
23 matter of course of the type of people who refuse to  
24 answer surveys; in other words, the people who say no,  
25 I'm not answering this, good night or good afternoon?

1                   A. For obvious reasons we wouldn't have  
2 much detailed information about them since that's all  
3 that's all that they're saying.

4                   Q. You would have to phone them back and  
5 ask them questions about who they are and whether they  
6 refusing?

7                   A. Sometimes that's done with studies,  
8 not in case.

9                   Q. In fact it's fairly rare; isn't it,  
10 that it's done in studies?

11                  A. Yes.

12                  Q. Simply because of the difficulty.

13                  A. But one doesn't need to do that in  
14 order to know the general characteristics, because if  
15 you know the characteristics of the population and you  
16 know the characteristics of your sample, that would  
17 provide a basis for identifying any groups that were  
18 seriously underrepresented by their absense in the  
19 sample.

20                  So it doesn't require that you actually  
21 ask them specifically those kinds of questions; in  
22 other words, to get a fairly good picture of that.

23                  Q. Do you know how long the foresters  
24 who refused to respond to the survey were in practice  
25 as foresters?



1                   A. You're switching surveys now, you're  
2 talking about --

3                   Q. I was talking generally, but now I'm  
4 referring to the second survey.

5                   A. Okay, fine. I just want to make  
6 sure. So your question again is...?

7                   Q. Do you know about the length of time  
8 in practice of the foresters who refused to respond to  
9 the foresters survey or failed to?

10                  A. In this particular case, no.

11                  Q. All right.

12                  A. And just to expand briefly, and the  
13 reason is that for the foresters survey there is no  
14 existing database on the characteristics of foresters  
15 on a national basis.

16                  The general population with a popular  
17 public opinion survey, one knows the characteristics of  
18 a population through census data and so forth. With  
19 the foresters, that's not the case.

20                  That being said, we do know the  
21 characteristics of those foresters who did respond to  
22 the survey, and while we can't say that all groups of  
23 foresters were represented in the same proportions in  
24 terms of their length of years in forestry, by the fact  
25 that we provide the results and we do in the study

1 separately by each group of experience, then in a sense  
2 that addresses any underrepresentation in the sense  
3 that if hypothetically foresters with more than 20  
4 years experience were underrepresented and there was no  
5 basis for concluding that - and I'm not sure anybody  
6 else can conclude that either - while the proportion of  
7 foresters with more than 20 years may be  
8 underrepresented, and there may be some concern that  
9 somehow their views aren't adequately being taken into  
10 account, one can still look at the study and look at  
11 results for those that were in that group and feel --  
12 and get some indication of how foresters with more than  
13 20 years experience feel about these issues.

14 Q. Notwithstanding that 45 per cent of  
15 the foresters did not respond, you feel confident you  
16 could make that statement?

17 A. Yes. Because there are all kinds of  
18 reasons for not responding and many of those reasons  
19 have nothing to do with their particular views on these  
20 issues, but a question of access and availability and  
21 that sort of thing.

22 Q. I'm told there's a possible sampling  
23 error called the knowledge bias, that someone may  
24 answer a question in a particular fashion because they  
25 feel they're expected to know the answer.

1 Is that in fact a form of non-sampling  
2 error?

3 A. Well, it's a form of error although  
4 it's not usually referred to in that way. Sometimes  
5 it's would be referred to--

6 Q. What would you call it?

7 A. --as a social desirability bias or  
8 the demand -- it's known as the demand characteristics  
9 of a particular issue or a question.

10 Q. And I'm told that there's - and we  
11 might have touched on this earlier so I'm not going to  
12 dwell on it - but I'm told there is a non-sampling  
13 error called - and again correct me if I get the  
14 terminology wrong - defective questionnaire design  
15 bias; in other words, the form of question can  
16 influence or bias the result, and I think we were  
17 talking about the clearcutting question with Mr.  
18 Martel.

19 Is that a type of non-sampling error that  
20 can occur in surveys?

21 A. I suppose if the question wording is  
22 defective, as you say, I imagine that would have some  
23 influence.

24 Q. Right. And, again, that's difficult  
25 to quantify as to determine the level of defectiveness

1 even if it defective.

2 A. Again it's a judgment.

3 Q. Right. I want to turn to the  
4 foresters survey just briefly because I have a question  
5 of something that baffles me, Dr. Neuman.

6 You were talking in one of your  
7 presentations about the views of foresters and, in  
8 particular, their views of forest management practices  
9 now as compared to 10 years ago.

10 A. That's correct.

11 Q. You may recall that. And if you have  
12 the survey there in front of you --

13 MADAM CHAIR: Which exhibit, Mr. Cassidy?

14 MR. CASSIDY: Bear with me. I may need  
15 Mr. Pascoe's assistance with respect to that number.

16 MR. FREIDIN: The foresters survey is  
17 attached to Exhibit 2023. It's attached to one of the  
18 appendices to the answers to the Ministry of Natural  
19 Resources.

20 DR. NEUMAN: I think that's a summary --

21 MR. CASSIDY: I think what I am looking  
22 at is the --

23 DR. NEUMAN: Full report.

24 MR. CASSIDY: Q. --full report which I  
25 believe is attached, is it not, to the witness



1 statement, Dr. Neuman?

2 DR. NEUMAN A. My understanding is that  
3 only a summary of the report is attached to the witness  
4 statement.

5 MADAM CHAIR: Do you want the actual  
6 questionnaire, Mr. Cassidy?

7 MR. CASSIDY: No, not the questionnaire.

8 DR. NEUMAN: You're referring to the  
9 actual text of the full report itself.

10 MR. CASSIDY: Yes.

11 DR. NEUMAN: I don't believe that's an  
12 exhibit.

13 MR. CASSIDY: Q. That's what I thought  
14 too, Dr. Neuman. I'm referring to a thing called Final  
15 Report of Forestry Canada of the Survey of Professional  
16 Foresters in Canada.

17 DR. NEUMAN: A. Is that the same as...?

18 Q. You've got it.

19 MADAM CHAIR: We've got the executive  
20 summary of the witness statement.

21 MR. O'LEARY: The executive summary has  
22 been filed under Tab 6 in the witness statement of this  
23 panel and it's Exhibit 2017, but the actual full text  
24 of the survey has not been filed as an exhibit, but has  
25 been forwarded to the Board at some point.

1 MADAM CHAIR: We do have a copy but it's  
2 not an exhibit yet.

3 MR. CASTRILLI: Perhaps that was the  
4 cause of my confusion, Madam Chair, and I am going to  
5 be referring to two pages very briefly and it might be  
6 helpful for it to be made an exhibit.

7 MADAM CHAIR: All right. We will give it  
8 Exhibit No. 2036.

9 MR. CASSIDY: And if the Board has it in  
10 front of them they may put wish to pull it out.

11 ---EXHIBIT NO. 2036: Survey of Professional Foresters  
12 in Canada by Omnifax Research,  
13 final report to Forestry Canada  
dated January, 1991.

14 MR. CASSIDY: I want to turn you to page  
15 11, Dr. Neuman.

16 If you want to hold it up, Madam Chair, I  
17 can tell you if you have the right --

18 MADAM CHAIR: This is the questionnaire.

19 DR. NEUMAN: That is the questionnaire.

20 MR. CASSIDY: That is the questionnaire.

21 MADAM CHAIR: It came in with the answers  
22 to the interrogatories. No, that's the questionnaire  
23 again.

24 We have got several copies of the  
25 questionnaire and the executive summary.

1 MR. PASCOE: It's right here.

2 MADAM CHAIR: Thank you, Mr. Pascoe.

3 MR. CASSIDY: Okay.

4 MADAM CHAIR: Okay. Exhibit 2036 is  
5 the -- all right. Just one more problem, we have got  
6 the national survey and is the foresters survey  
7 included in here?

8 DR. NEUMAN: Do you want me -- I don't  
9 think so. Let me confirm that. I suspect that it's  
10 not. No, this is the national one. Can you provide --  
11 it's not in here.

12 MR. O'LEARY: We'll let you use that one.

13 DR. NEUMAN: That's the full report.

14 MADAM CHAIR: All right, thank you very  
15 much. Exhibit 2036 is dated January 1991, it's a  
16 Survey of Professional Foresters in Canada by Omnifax  
17 Research and it's a final report to Forestry Canada.

18 MR. CASSIDY: Q. And if I can flip you  
19 to page 11, Dr. Neuman, the title of the first full  
20 paragraph Changes in Forest Management Practices, that  
21 is in fact -- that section below that title is where  
22 you refer to the question of forest management  
23 practices being asked of these foresters whether they  
24 are better or for the worse over the past 10 years, and  
25 that forms of the basis of your presentation you made

1 to the Board yesterday; is that correct?

2 DR. NEUMAN: A. That's correct.

3 Q. All right. So you were asking

4 foresters what is forestry today like or forest

5 management practices today like as compared to what it

6 was like 10 years ago?

7 A. That is correct.

8 Q. Now, if we flip to page 4 or turn to

9 page 4 of the same exhibit 2036, sample

10 characteristics.

11 MADAM CHAIR: Which page is that, Mr.

12 Cassidy?

13 MR. CASSIDY: Page 4.

14 MADAM CHAIR: Thank you. Roman numeral?

15 MR. CASSIDY: No, Arabic.

16 MADAM CHAIR: Okay.

17 MR. CASSIDY: Q. If we look at years

18 working in forestry, this is the characteristics I take

19 it of the sample, Dr. Neuman, and when I add up the

20 foresters who worked - this is near the bottom of the

21 page - when you add up the two categories of up to 5

22 years and 6 to 10 years--

23 A. Mm-hmm.

24 Q. --you have 33 per cent, and I think

25 you told us yesterday that in fact 67 per cent of the



1       foresters who responded to the survey had been in  
2       practice for more than 10 years.

3                   A.   Mm-hmm.

4                   Q.   Now, I look at that and see you got  
5       responses from 33 per cent of your survey of people who  
6       weren't even practising forestry 10 years ago, and yet  
7       you attach some weight to their answers on this  
8       question?

9                   A.   Mm-hmm.

10                  Q.   And I'm wondering how you can do  
11       that.

12                  A.   Well, I think that - and I'm just  
13       looking at it to see the nature of the question - some  
14       of these people may have been working, may have had  
15       involvement in the forestry sector before their work,  
16       that is they may have been in university, or they may  
17       have had some knowledge either because they may have  
18       had -- it may have been something in which they had  
19       some interest.

20                  So while they may not have been actively  
21       working as foresters for that period of time, they may  
22       nevertheless have some knowledge or some understanding,  
23       and certainly some impression about forestry practices  
24       before that time.

25                  Q.   So they might have been in school for

1 example?

2 A. For example.

3 Q. So you were asking about their  
4 opinions when they were 18 to 20 years old?

5 A. Well, we are asking what their  
6 impressions are about trends, okay. The other -- I  
7 think the other part of where foresters may be coming  
8 from is that they may not have been involved in  
9 forestry 10 years before, but nevertheless in the time  
10 in which they were working in forestry as foresters  
11 they undoubtedly would have gained some information  
12 from other people in the sector about how things have  
13 changed or not changed.

14 In other words, there are many ways in  
15 which professionals or anyone else forms opinions about  
16 things that have taken place that they have not been  
17 directly experienced with.

18 So I can't tell you exactly what  
19 information or experiences each of these foresters drew  
20 on to make this -- make that particular point, but it's  
21 certainly not unreasonable to expect that people who  
22 have been working at forestry less than 10 years  
23 wouldn't have some opinion or impression or  
24 understanding of how forestry practices have or have  
25 not changed over that period of time.

1                   Certainly even part of their education,  
2           they may have been studying forestry but part of that  
3           education would have been learning about things as they  
4           had been and so forth. So it would be quite a  
5           reasonable question to ask.

6                   Q. Thank you.

7                   A. It's also -- we would also assume and  
8           expect in many cases that if people don't have answers  
9           to questions, they won't respond.

10                  Q. All right. I want to just finish off  
11           with you briefly and then move on with a few final  
12           questions to Ms. Dube-Veilleux and Mr. Alexander.

13                  You were talking about updating this  
14           study, this national survey from 1989 and, in fact, I  
15           understand that next month there's going to be one  
16           released that does just that?

17                  A. It's scheduled to be released next  
18           month in two separate parts.

19                  Q. I'm told that companies like  
20           yourselves, whatever one you're at, research companies.

21                  A. Research associates.

22                  Q. Yeah. I'm told that companies like  
23           that often do annual tracking of various issues for  
24           clients.

25                  A. That's correct.

1 Q. Right. And that's because public  
2 opinion is relatively volatile at times even on some  
3 essential values and you want to tell your clients what  
4 that is on an annual basis or sometimes even sooner in  
5 the case of opinion -- of political polls; is that fair  
6 to say?

7 A. There's tracking done for various  
8 reasons and I guess the frequency with which it's done  
9 depends in large part on the issues.

10 Some kinds of opinions and attitudes  
11 about things change quite quickly and some don't change  
12 very much at all. Part of the reason of doing this  
13 research, in some cases, is because it may not be clear  
14 how quickly they may change.

15 Q. Is it fair to say that opinion polls  
16 have a shelf life that, in some cases, is rather  
17 limited, Dr. Neuman, and in fact that's why you tell  
18 clients you have to do it more than once?

19 A. Well, opinion polls I think can be  
20 characterized as a snapshot or a picture of what the  
21 public thinks at a particular point in time.

22 But that being said, there are many  
23 issues and many kinds of questions in surveys in which  
24 surveys are done, you know, over years or months or  
25 over different parts of years where one sees very



1 little change, and there are a lot of situations that  
2 I've seen and from which I draw this conclusion that,  
3 in many cases, while research may be done on a regular  
4 basis, in many cases they don't show much change.

5 It really depends on the particular  
6 issues and questions that are being dealt with.

7 Q. Sure.

8 A. I might also point out that it's  
9 not -- organizations don't necessarily commission polls  
10 on an ongoing basis because we as researchers tell them  
11 they need to do that. In many cases they will decide  
12 their own needs, and certainly in the case of Forestry  
13 Canada, in this particular case, we had no involvement  
14 or influence in their timing and their decision to do a  
15 survey again in 1991.

16 Q. So as far as you are aware it was  
17 Forestry Canada's decision by itself to do an update of  
18 this survey?

19 A. Yes, and it's also accurate to say  
20 that the purpose of this current survey was not  
21 primarily or simply to update the information.

22 Q. Oh, that's fair enough. I think you  
23 mentioned three reasons.

24 A. Yes, that was one of them.

25 Q. But I'm asking about the updating

1 obviously, and you'd agree with me that Forestry  
2 Canada, on the face of it, is apparently of the view  
3 that this survey needs updating?

4 A. Yes, but that -- it's also fair to  
5 say that that was not the principal or even the most  
6 important of the three objectives. It was probably the  
7 least important of the three.

8 Q. But nevertheless it's being done?

9 A. Yes, it's being done.

10 Q. I want to turn to you, Ms.

11 Dube-Veilleux, and I'm interested in a couple of things  
12 and one relates to the Red Lake situation.

13 Have you spoken to the Red Lake tour  
14 outfitters about any concerns they have in the Red Lake  
15 Crown.

16 MS. DUBE-VEILLEUX: A. No, I haven't  
17 specifically.

18 Q. So you've reviewed the plan but  
19 you've not spoken to the outfitters?

20 A. I would also think that it's fair to  
21 say that I didn't review the plan. I picked up the  
22 plan to look for what I thought I would like to see in  
23 the plan.

24 Q. I see. So you're not in a position  
25 to comment on the concerns or non-concerns of the

1 tourist outfitters in the Red Lake area?

2 A. On a general basis and based on my  
3 past experience as a tourism operator and as a  
4 representative of a lot of the operators, I felt that I  
5 would have a pretty fair idea of what to look for.

6 Q. Which is probably why you felt no  
7 need to go actually speak to them?

8 A. No, I -- that was not the intent. In  
9 fact, I would like to make it clear, I did not review  
10 the plan.

11 Q. All right.

12 Q. Your clientele, you used to work or  
13 be part of Hearst Air?

14 A. That's right.

15 Q. Where did most of your clientele come  
16 from?

17 A. From -- in the Hearst District, we  
18 probably had a fairly even 50/50 split between a client  
19 base in southern Ontario.

20 Q. Yes.

21 A. And a client base in the -- mainly  
22 the northern border states.

23 Q. Of the United States?

24 A. Of the United States.

25 Q. Right. Minnesota, for example

1                   A. Yeah, Minnesota, Ohio, Michigan, New  
2                   York and then into Pittsburgh, New Jersey, that area.

3                   Q. Is it fair to say that very little of  
4                   your clientele was actually from northern Ontario?

5                   A. It's fair to say that, although it's  
6                   surprising enough, and perhaps it's a good sign, but  
7                   there are increasing numbers of people from northern  
8                   Ontario who are choosing now to go to the remote  
9                   operations.

10                  Q. And I wanted to ask you about  
11                  resource decisions, and I take it from your evidence  
12                  that you would prefer that resource decisions on things  
13                  like access and reserves are best made at the local  
14                  level and not by some provincial body or regulation.  
15                  Is that a fair thing to say about your evidence?

16                  A. With the recognition that there are  
17                  some basic policies that should be province wide I feel  
18                  that when it comes to specific application that  
19                  certainly the factors and the geography and community  
20                  aspects are best dealt with at the local level, if that  
21                  is what makes it real.

22                  Q. And they should be given very  
23                  significant weight, all those local factors in those  
24                  decisions; is that correct?

25                  A. Yes, most definitely.



1 Q. You're talking about this level of  
2 trust - or perhaps I should put it more accurate - this  
3 level of distrust of MNR and perhaps my clients.

4 Isn't it fair to say that there may be a  
5 segment of the population of which there will always  
6 be -- they will always have a distrust of a bureaucracy  
7 or a large company?

8 A. I think that's a fair statement,  
9 although I also would add that sometimes that segment  
10 is larger than it needs to be and that we would like to  
11 bring more of the population in line once they're more  
12 informed. I'm sure that some of that can go -- there  
13 will always be that.

14 Q. Some percentage?

15 A. Fringe there somewhere.

16 Q. And then there will always be some  
17 people that are unhappy with a resource decision  
18 because there are those tough cases that you just  
19 cannot reconcile both sides of an issue and somebody's  
20 going to lose and there's a good et they're going to  
21 get mad at whoever the decision-maker is. Is that fair  
22 to say?

23 A. That's fair.

24 Q. And again you try to work to reduce  
25 those situations as well; right?

1 A. That's right.

2 Q. Are there any significant lakes in  
3 the Hearst or Hornepayne area, Ms. Dube-Veilleux, that  
4 are not utilized by remote tour outfitters?

5 A. That are not utilized?

6 Q. Yeah, in some fashion.

7 A. There are quite a number of lakes  
8 that are not used.

9 Q. In any fashion whatsoever by remote  
10 tourist outfitters?

11 A. That's right.

12 Q. And I understand that there are about  
13 30 lakes in those two districts of significant -- I'm  
14 talking about significant fishing lakes.

15 A. I'm not sure where the 30 figure  
16 comes from or...

17 Q. All right. With the respect to the  
18 Kenora area, Mr. Alexander, I just want to flip to you  
19 for a minute on this, and I understand you are on the  
20 boat cache committee?

21 MR. ALEXANDER: A. (nodding  
22 affirmatively)

23 Q. I wonder if you can tell me if there  
24 are any significant fishing lakes in the area you're  
25 involved in in Kenora that are not utilized in some

1 fashion by remote tour outfitters?

2 MR. ALEXANDER: A. I guess that would  
3 depend on what you mean by significant, and I can't  
4 tell you unequivocally that there is some and there is  
5 none.

6 It is my understanding that there are a  
7 number of lakes that do not have boat caches and, in  
8 fact, some lakes do not allow boat caches by reason of  
9 the tourism industry or residents in the area.

10 Q. I'm talking about the number of lakes  
11 with tour outfitters on them in your area in some  
12 fashion, not necessarily boat caches, remote tour  
13 outfitters.

14 A. There's a number of lakes that do not  
15 have remote tourism on them.

16 Q. I see. And so is it a matter of  
17 trying to decide which lake is going to be utilized by  
18 a remote tour outfitters and which lakes are going to  
19 have local access; is that what you're involved in?

20 A. No. It was a matter of trying to --  
21 more trying to remove some of the boats that were on  
22 particular lakes, rather than look for new  
23 opportunities.

24 Q. All right. Ms. Dube-Veilleux, the  
25 NOTO organization took part in the preparation of the

1 access guidelines; correct?

2 MS. DUBE-VEILLEUX: A. The access  
3 guidelines.

4 Q. I apologize, the tourism guidelines.

5 A. To a very limited extent, yes.

6 Q. I believe Mr. Wisneski was involved  
7 in that?

8 A. I'm not sure about Mr. Wisneski. I  
9 know that in the book there's a listing. We can double  
10 check that. There was several members.

11 Q. That's what I looked at.

12 A. There are several NOTO members that  
13 were asked for some input.

14 Q. Right. I want to finish up with you,  
15 Ms. Dube-Veilleux, about timber management planning  
16 periods. How long, in your view, should a timber  
17 management plan cover?

18 We've got five years here and everybody  
19 talked about it at the hearing as being five years, but  
20 should it be longer in your view?

21 A. Certainly the -- because the effects  
22 are long term the much broader horizon has to be looked  
23 at on a regular basis, the more long-term horizon has  
24 to be identified and certainly taken into management  
25 decisions.



1 I would not attempt to even suggest that  
2 we try and write a hundred year plan with any degree of  
3 accuracy.

4 Q. I didn't suggest you write a hundred  
5 year plan, I'm asking you to pick a reasonable number  
6 of years between planning periods that the plan is  
7 supposed to cover. What is reasonable in your view?

8 A. I think I don't have a problem with  
9 the five years as long as it's done and monitored and  
10 that it really is an ongoing process. That's the  
11 concern, that there shouldn't be a magic figure  
12 somewhere, this five years fits in, you know, flows  
13 into the next five years, and that's not going to be a  
14 problem.

15 Q. How long has the Nagagami plan taken  
16 to get to the point it's at now, how long has the  
17 planning been going on for that plan?

18 A. The planning team was formed in  
19 December I believe, November of '90.

20 Q. And there's going to be a deferral of  
21 that plan for another year?

22 A. Of portions of that plan.

23 Q. I see. A significant portion?

24 A. On the overall unit, and I'm not sure  
25 in hectares what you would call it, but it is certainly

1 a significant portion, although it's not all wooded  
2 portion, a lot of that is lake, a lot of water.

3 Q. Sure. So we are looking at two years  
4 then for that portion of the plan to be planned?

5 A. Yes, that's correct.

6 Q. Okay. How much more time do you  
7 think it will take, the full year, to get that  
8 resolved?

9 A. We have high hopes that we can do it  
10 before the first of November, which is our time frame  
11 which doesn't really give us another full year to do  
12 it.

13 The plan would be taking effect on April  
14 the 1st, so if you take from April to November, it's  
15 not really a year for the plan. And at no point will  
16 there be a critical shortage of wood for the lumber  
17 company. We have all come to that conclusion.

18 Q. All right. Mr. Alexander, I want to  
19 ask you a few final questions, and I apologize Madam  
20 Chair, but I expect to finish shortly.

21 With respect to Dryden, I understand that  
22 Canadian Pacific Forest Products is the largest  
23 employer in Dryden; is that correct?

24 MR. ALEXANDER: A. That's correct.

25 Q. And that including the woodlands

1 employees there's some 1,500 employees that work at  
2 Canadian Pacific Forest Products in the Dryden area?

3 A. That's correct.

4 Q. And that the Canadian Pacific Forest  
5 Products contributes approximately 55 per cent of the  
6 property tax base of Dryden; is that fair to say?

7 A. I couldn't say whether that is the  
8 exact figure, but I think that's pretty close.

9 Q. That's in evidence at the hearing.  
10 You're not in position to dispute that?

11 A. (nodding affirmatively)

12 Q. Right. Now, I want to ask you what  
13 your understanding is, Mr. Alexander. I take it you're  
14 aware that timber management plans are prepared by FMA  
15 holders on FMA areas but are subject to approval or  
16 rejection by the Ministry of Natural Resources?

17 A. I'm aware of that.

18 Q. All right. And I guess you're  
19 suggesting; are you, that the MNR when they approve or  
20 reject a plan, the foresters there are somehow biased?

21 A. No, no, I'm speaking about the bias,  
22 I think whether it's an MNR forester or whether it's a  
23 company forester, his job is to develop a plan to  
24 produce timber.

25 Q. Which is what the CP mill in Dryden

1 uses; is that right?

2 A. That's right.

3 Q. The largest employer.

4 A. Yes.

5 Q. Is there a time frame with which you  
6 have been more involved in timber management plans than  
7 others. I'm not sure about your evidence. I got the  
8 impression you've not actively -- you have not been  
9 actively involved in timber management plans for the  
10 last couple of years. Am I right on that?

11 A. That's correct.

12 Q. All right. Sorry, go ahead.

13 A. Well, with the exception that  
14 although I have not been to open houses the past couple  
15 of years, in my recreational time out of doors, when I  
16 have come on to areas of concern to me I did go into  
17 the MNR and have discussions with them about the  
18 impacts I guess, the effects of it.

19 Q. That's almost like on an as needed  
20 basis when the problems arose. Unlike Ms.  
21 Dube-Veilleux, I think has been to every meeting in  
22 northern Ontario, but you don't appear to have been  
23 that actively involved in the last two to three years;  
24 is that fair to say?

25 A. That's correct.



1 Q. All right. Now, I want to ask you  
2 then -- I understand that stream crossings, which is  
3 what you were referring to earlier as being projects  
4 not subject to public input, I understand that those  
5 stream crossings are in fact part of the area of  
6 concern planning process which do receive public input?

7 A. Yes.

8 Q. Am I wrong in that?

9 A. No, you are not wrong in it, you are  
10 not wrong in it, there's public input when the timber  
11 management plan is developed and they are going to  
12 cross a particular stream at a particular place and the  
13 public is there to say whether they want to cross here  
14 or there, yes.

15 Q. But I understand that that stream  
16 crossing, pursuant to the area of concern planning  
17 process, is individually planned and details like that  
18 nature are discussed to some extent in that planning  
19 process. You're shaking your head, yes, I'm right?

20 A. Yes, yes, sorry.

21 Q. That's fine. And finally I want to  
22 ask about this Caribou West Management Unit, and I for  
23 the life of me can't figure out what exhibit number  
24 that is. Has that been given an exhibit number?

25 MR. O'LEARY: 2034.

1 MR. CASSIDY: Q. All right. Exhibit  
2 2034, is that the whole unit to your knowledge?

3 MR. ALEXANDER: A. I can't answer that.

4 Q. It appears -- well, it says it's the  
5 whole unit. I guess you're in no position to disagree  
6 with the title; right?

7 A. There's an east and west.

8 Q. Okay. Do you know if that whole  
9 picture, or that whole area depicted in Exhibit 2034 is  
10 the subject of operations, harvesting operations?

11 A. No, it is not at this present time.

12 Q. Right. So your concern was with  
13 respect to mapping all the values in areas that aren't  
14 even being subject to harvesting operations; is that  
15 correct?

16 A. My concern is mapping more of the  
17 values than they currently have mapped in their first  
18 attempt.

19 Q. In their first attempt.

20 A. All right.

21 Q. And you don't see any relationship  
22 between spending the money that the province has, which  
23 I understand people raise, or I'm going to understand,  
24 you don't see any problem spending that money now  
25 before operations are even contemplated or planned?

1                   A. Well, I think it's a given that the  
2 timber is going to be harvested there. Now, whether  
3 operations start this year or in 1985.

4                   Q. I wish I had your knowledge about the  
5 pulp and paper market, Mr. Alexander. I would probably  
6 make a lot of money.

7                   So you're assuming then that that will  
8 always be -- that whole thing will be operated on and,  
9 therefore, they might as well start on it now in terms  
10 of data collection; is that your evidence?

11                  A. My evidence is that there should be  
12 more dollars spent on collecting non-timber value  
13 information.

14                  Q. Right.

15                  MR. CASSIDY: Okay. If I could just  
16 have a minute, Madam Chair.

17                  Thank you, Madam Chair, those are my  
18 questions.

19                  MADAM CHAIR: Thank you, Mr. Cassidy.  
20 And thank you very much witnesses.

21                  We are going to have a scoping session.  
22 You are invited to stay, but you are certainly excused.  
23 I think you're ready to call it a day.

24                  DR. NEUMAN: Tomorrow at nine?

25                  MADAM CHAIR: Thank you. And we will be

1 back tomorrow morning at nine o'clock.

2 --- (Witness panel withdraws)

3 MADAM CHAIR: Mr. Hanna, and Mr. O'Leary,  
4 I don't think this will take very long. We will follow  
5 the normal course that we do in these scoping sessions  
6 and the Board will identify for your witnesses, in this  
7 case Mr. Neaves, is that how to pronounce Mr. Neaves'  
8 name - that is N-e-a-v-e-s - and Dr. Quinney, who will  
9 be addressing the Coalition Panel 4's evidence on  
10 adaptive management and wildlife timber management  
11 integration.

12 And the Board's first comment, and it  
13 probably goes without saying, is because we will spend  
14 some time examining habitat supply analysis in Panel 7,  
15 while we understand that these witnesses will touch on  
16 that issue, we would certainly like to keep that fairly  
17 brief.

18 And we understand in their written  
19 evidence very clearly that these witnesses believe  
20 habitat supply analysis is an essential part of  
21 adaptive management and integration of timber and  
22 non-timber values, and we certainly take that point  
23 from what they say in their witness statement, and we  
24 are really planning to examine that matter in detail in  
25 your Panel 7 evidence.



1                   On page 167 of the witness statement Mr.  
2       Neaves is referring to an Ontario wildlife strategy and  
3       we're not quite sure which that is. We would like him  
4       to clarify that for us. This has to do with item 35 on  
5       page 17.

6                   MR. O'LEARY: We will file a copy of that  
7       wildlife strategy.

8                   MADAM CHAIR: All right, thank you.

9                   Mr. Freidin, do we have a copy of that  
10      filed with the Board or no?

11                  MR. FREIDIN: I don't believe we do yet.

12                  MADAM CHAIR: All right, thank you.

13                  On page 23 of the witness statement --

14                  MR. O'LEARY: Which page was that, Madam  
15      Chair?

16                  MADAM CHAIR: 23.

17                  MR. O'LEARY: 23, yes.

18                  MADAM CHAIR: Dr. Quinney, and this is  
19      only one place where Dr. Quinney discusses this matter  
20      in this witness statement, and that is the theme of  
21      concrete measurable objectives for all forest values in  
22      timber management planning.

23                  And it would be very helpful to the  
24      Board, and we will leave it with you and Dr. Quinney to  
25      sort out how this could be done, but it would be really

1       enlightening for the Board if we could receive from Dr.  
2       Quinney a short list of the examples of such concrete  
3       measurable objectives for all forest values that he  
4       would consider to be appropriate in the timber  
5       management plan, and we don't need a lot of description  
6       or rationalization, you can discuss that with him, but  
7       it's difficult for the Board to conceptualize what that  
8       would be.

9               Mr. Martel and I talk about this and we  
10      have sort of -- we see a shopping list in front of us  
11      of 60 moose and 10 marten and this many acres of  
12      recreational land or something. We just don't have a  
13      sense of what that would look like, and we would  
14      appreciate if Dr. Quinney could provide us with a  
15      sample.

16             On page 25, we have two questions for Mr.  
17      Neaves. The first has to do with his response in item  
18      48 where he reports that he approached the Ministry of  
19      Natural Resources in 1986 to enter into a co-operative  
20      agreement with Wildlife Habitat Canada to undertake  
21      some projects for habitat supply analysis, and he  
22      reports that to date no such partnership for a habitat  
23      supply co-operative adventure has been established.

24             We would like to hear from Mr. Neaves the  
25      reasons why he believes this has not happened, that he

1 hasn't established such a venture or partnership with  
2 MNR.

3 And then we also wanted Mr. Neaves to  
4 comment on the evidence before us from Dr. Euler who  
5 has told us, we believe, that over the very long term  
6 Ontario is moving into habitat supply analysis and that  
7 the limitations on doing that quickly have to do with  
8 the availability of scientific information primarily  
9 although human resources and dollars also have something  
10 to do with it, and we would like Mr. Neaves to address  
11 that evidence of Dr. Euler's.

12 And we could find those references for  
13 you, Mr. Hanna.

14 MR. HANNA: That would be useful. We  
15 have given to, I believe, Mr. Neaves, some of that but  
16 I think you can appreciate a lot of our witnesses are -  
17 I don't know quite the right term - but they are not  
18 awfully pleased every time another package comes in.

19 MADAM CHAIR: Oh, absolutely and I think  
20 most of us at this hearing are most anxious to identify  
21 the exact sentences, transcript page numbers.

22 MR. FREIDIN: When you provide that, will  
23 Mr. Pascoe provide us with a list when you provide that  
24 to the OFAH?

25 MADAM CHAIR: Yes, I will. I know those

1 references are in the reply evidence, so we will go and  
2 pick out exactly where Dr. Euler made that statement.

3 MR. FREIDIN: And you will list it --

4 MADAM CHAIR: We will announce it at the  
5 hearing tomorrow, so we all have the same page numbers.

6 MR. HANNA: Thank you.

7 MADAM CHAIR: On page 29 the Board would  
8 like to know from Mr. Neaves, of the 21 applicants from  
9 Ontario who have apparently stated some interest in  
10 being included in the model forest program, which ones  
11 have been approved as part of the eight forests that  
12 were chosen.

13 On page 36 Dr. Quinney reports that the  
14 stakeholder committees who were reviewing study designs  
15 and initial results - and we assume this was for the  
16 steering committee on provincial monitoring - he  
17 reports that these committees have not met for over a  
18 year.

19 MNR will be reporting to us and we will  
20 be discussing the status of those committee's work in  
21 reply evidence, but I suppose we would like to hear  
22 from Dr. Quinney on whether he feels any progress has  
23 been made on those committees with respect to having  
24 their experience be useful to the Board when it makes  
25 its decision about the application.



1                   MR. FREIDIN: Their experience being  
2           useful in respect of the committee that has been  
3           referred to?

4                   MADAM CHAIR: Yes, yes.

5                   In Mr. Neaves' CV behind Tab 5, on page 5  
6           of the CV we noticed near the bottom of point 2, as Mr.  
7           Neaves is describing various programs he's been  
8           involved with with respect to the integration of  
9           wildlife objectives across the landscape as he  
10          describes it, he refers to a levy on industry to  
11          compensate for habitat loss to trappers.

12                   We assume this is referring to the above  
13          part of that sentence or point which says:

14                   "Developing the BUCA wildlife habitat  
15                  program in Alberta."

16                   And the Board is interested to know how  
17          trappers in Alberta are compensated for loss of  
18          habitat, what is this program, who does the  
19          compensation, how is it done.

20                   Behind Tab 5 of Mr. Neaves' evidence he  
21          provides a paper entitled: Wildlife Habitat, Canada's  
22          Forestry Wildlife Program, and on the first page of  
23          that document - that's Roman numeral (i) - we have a  
24          list of various pilot projects which Wildlife Habitat  
25          Canada has funded or taken part in, and we are

1 interested to know, and we have read a description of  
2 various projects that WHC is involved in, and we want  
3 to know if Mr. Neaves could identify for the Board a  
4 few projects that he feels -- where he feels they've  
5 had some experience with the project, they have some  
6 results that might be useful to timber management in  
7 Ontario.

8 Obviously the projects vary in size and  
9 commitment and their study designs, but the Board would  
10 be interested in knowing in Mr. Neaves' opinion which  
11 projects his organization believes they could offer as  
12 being most helpful to timber management planning in the  
13 area of the undertaking.

14 MR. FREIDIN: When you ask that question,  
15 you're talking about the results--

16 MADAM CHAIR: Yes, we are talking about  
17 which part --

18 MR. FREIDIN: --of the projects  
19 themselves as opposed to the design of the project.

20 MADAM CHAIR: Yes, which pilot projects  
21 have shown results. Some have been in effect now  
22 for -- well, four or five years.

23 And finally, on page 14 Mr. Neaves  
24 discusses his views on why timber management planning  
25 should be based on forest rotation, why we should look

1 at timber management planning in the context of 100  
2 years or several hundred years.

3 And can Mr. Neaves or Dr. Quinney give  
4 examples of situations or projects that have been  
5 designed to be based on rotations of 100 years or on  
6 entire forest rotations.

7 I guess Mr. Martel and I, when we digest  
8 what witnesses have said to us about adaptive  
9 management, we have this idea that you learn from your  
10 mistakes, that's a theme we hear over and over in  
11 adaptive management, and you measure your progress  
12 against your objectives, and we're still confused about  
13 how this fits into planning for 100 years.

14 We see that adaptive management, you have  
15 to change the way you plan as you get new information,  
16 but we still are having trouble sorting out how you  
17 plan timber management for a hundred years.

18 Do you have any questions for the  
19 parties, Mr. Hanna, or Mr. O'Leary, with respect to the  
20 statements of issues?

21 MR. HANNA: Madam Chair, there's one  
22 question as a result of what we experienced last week  
23 with Mr. Cassidy's motion regarding the admissibility  
24 of Mr. Heseltine's evidence, and I see that in FFT's  
25 statement of issue they're questioning the ability of

1 the witnesses, the qualifications of the witnesses to  
2 testify with respect to forest management.

3 MADAM CHAIR: That doesn't concern the  
4 Board very much, Mr. Hanna. We think we can deal with  
5 that during the course of the hearing.

6 Mr. Cassidy's concern had -- the Board  
7 had sort have been notified about that two years  
8 before, these surveys showed up at the hearing and  
9 that's why we wanted to take care of it ahead of time,  
10 but I think this will be handled in the normal course  
11 of qualifying the witnesses.

12 MR. HANNA: There's no other questions  
13 that I have, Madam Chairman.

14 MADAM CHAIR: All right. Can we we have  
15 some estimates about cross-examination time.

16 Mr. Lindgren, is Forests for Tomorrow  
17 cross-examining on Panel 4?

18 MR. LINDGREN: Yes, we are, Madam Chair,  
19 and I would anticipate that we will be approximately  
20 one to two hours.

21 MADAM CHAIR: Thank you.

22 Mr. Baeder, is NAN cross-examining on  
23 Panel 4?

24 MR. BAEDER: I'm sorry, I can't tell you  
25 right now, I apologize. I will try and get an estimate



1 and --

2 MADAM CHAIR: All right. Well, if you  
3 can give us your commitment that it won't exceed an  
4 hour then we --

5 MR. BAEDER: Oh, it certainly won't.

6 MADAM CHAIR: Thank you.

7 Ms. Seaborn?

8 MS. SEABORN: Madam Chair, our  
9 cross-examination would be quite brief. Having now  
10 reviewed most of Panel 9, the planning evidence, I  
11 think there are a number of items that Dr. Quinney  
12 addresses in the context of terms and conditions that  
13 we will hold over until the planning panel.

14 MADAM CHAIR: So you wouldn't expect to  
15 be more than an hour?

16 MS. SEABORN: Probably an hour, if that.

17 MADAM CHAIR: Thank you.

18 Mr. Freidin?

19 MR. FREIDIN: Approximately a day.

20 MR. PASCOE: Mr. Cassidy indicated to me  
21 that he would be no more than two hours.

22 MR. MARTEL: And direct, one day?

23 MR. O'LEARY: I suspect the direct would  
24 be somewhat similar to this.

25 MADAM CHAIR: So we would expect between

1 one to one and a half days.

2 MR. O'LEARY: I think that's a fair  
3 estimate.

4 MADAM CHAIR: Well, we're certainly going  
5 to be finished then within our schedule for those  
6 witnesses and that panel.

7 Mr. Freidin, why do you think you're  
8 going to take a day? Why do you think you need a day  
9 in cross-examination?

10 MR. FREIDIN: That is just my best  
11 assessment. Now, it may well be that, depending on how  
12 the evidence goes in, that we will be able to do leave  
13 a lot of the HSA cross-examination to Panel 7. I just  
14 don't know. I haven't dealt with cross-examination,  
15 quite frankly, so I'm just making sure I've got enough  
16 time.

17 But I can't see -- it's going to take at  
18 least half a day, so I'm giving myself some leeway.

19 MADAM CHAIR: All right. Because  
20 certainly the Board is telling you that with respect to  
21 habitat supply analysis, we're certainly focussing our  
22 energies on Panel 7 and I would suggest parties do the  
23 same.

24 MR. FREIDIN: It may very well be when I  
25 ask Mr. Quinney about the qualifications to testify on

1 some of these things he may defer some of those things  
2 to expert witnesses and it may be that based on that I  
3 might not have to ask him very much on those issues.

4 He's covering the waterfront and you can  
5 see that I'm concerned somewhat about his expertise,  
6 and I'm going to question him on that, rather than  
7 challenge him formally to give evidence.

8 MADAM CHAIR: Do the parties have any  
9 questions for the Coalition? Ms. Seaborn?

10 MS. SEABORN: Madam Chair, could we find  
11 out from Mr. O'Leary whether he proposes to call this  
12 panel next week after Panel 3 is concluded if we have  
13 time, or whether there's going to be a set start time  
14 for this panel being the following Monday, I'm not sure  
15 what date that would be in January.

16 MADAM CHAIR: We're looking at the  
17 soil -- who is our -- could you remind me.

18 MR. HANNA: Dr. Carr.

19 MADAM CHAIR: Dr. Carr.

20 MR. HANNA: It was estimated, Madam  
21 Chair, in the scoping session I think to go fairly  
22 close to the time we have available, as I recall. I  
23 think it was fairly extensive.

24 MADAM CHAIR: Is Dr. Neave in Toronto  
25 or -- no, he's in Ottawa.

1                   MR. HANNA: He's in Ottawa. I will check  
2                   and see what his availability is. The only concern I  
3                   have is, some of the panels we can do that, there are  
4                   panels -- when we are bringing people in like Dr.  
5                   Thomas and some of the other people, it's very  
6                   difficult for us to juggle the time.

7                   So we may gain some time that way, but we  
8                   are still going to have -- well, it's better to have  
9                   some extra time in case we do run into longer than  
10                  necessary, and if we can, we'll bring those people in  
11                  and start them right after the next panel.

12                 MADAM CHAIR: Well certainly, Mr. Hanna,  
13                  we don't like your client to go to any unnecessary  
14                  expense and we don't like witnesses sitting around for  
15                  another panel to begin. So we won't require Mr. Neave  
16                  and Dr. Quinney to be here. The earliest they would  
17                  start next week would be Thursday morning, and at this  
18                  point we don't know whether we are going to be finished  
19                  Panel 2 or not.

20                 MS. SEABORN: That is fine. Thank you.

21                 MADAM CHAIR: Do you have any questions  
22                  for the Coalition, Mr. Freidin?

23                 MR. FREIDIN: No.

24                 MADAM CHAIR: Mr. Lindgren?

25                 MR. LINDGREN: I just have one brief



1 question, Madam Chair. In the interrogatories we had  
2 requested some source material which we were advised  
3 would be filed with the hearing coordinator at some  
4 point, and I just checked with Mr. Pascoe and the  
5 material has not been filed to this point.

6 I'm wondering if Mr. Hanna or Mr. O'Leary  
7 can tell us when that material will likely be filed  
8 with the Board.

9 MADAM CHAIR: What was it, Mr. Lindgren?

10 MR. LINDGREN: Various sources,  
11 references and literature that is cited and we  
12 requested some of it and the interrogatory response  
13 simply said, this material will be filed with the  
14 hearing co-ordinator at some point and we would like to  
15 know when it will be filed.

16 MR. HANNA: Madam Chair, I will report  
17 back tomorrow morning after I've had a chance to check  
18 with the Coalition staff and indicate to the parties at  
19 that time.

20 MADAM CHAIR: Okay, Mr. Hanna, thank you.

21 All right. That concludes our session  
22 then, and we will see you back here at nine o'clock  
23 tomorrow morning. Thank you.

24 ---Whereupon the hearing was adjourned at 5:10 p.m.,  
25 to be reconvened on Wednesday, January 15th, 1992,  
commencing at 9:00 a.m. [C. copyright 1985].













